ALTERNATIVE DISPOSITION TO JUVENILE INCARCERATION

HEARING

BEFORE THE

SUBCOMMITTEE ON JUVENILE JUSTICE

OF THE

COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

NINETY-SEVENTH CONGRESS

SECOND SESSION

ON

OVERSIGHT OF THE JUVENILE CRIME PROBLEM

CAMDEN, NEW JERSEY
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CONTENTS

OPENING STATEMENTS

Page

Specter, Hon. Arlen, a U.S. Senator from the State of Pennsylvania, chairman of the Subcommittee on Juvenile Justice 1
Fenwick, Hon. Millicent, a U.S. Representative from the State of New Jersey 2

CHRONOLOGICAL LIST OF WITNESSES

Florio, Hon. James J., a U.S Representative from the State of New Jersey 3
Page, Hon. Robert, presiding judge of the Juvenile and Domestic Relations Court in Camden County, N.J 16
Horton, Stella, director of the Alternative School of New Pride, Juvenile Research Center in Camden, N.J 21
Richardson, Benjamin, director of project New Pride OIC 27
Fisler, Robert, principal probation officer of the Camden County Probation Department 28
Dubois, Nathaniel, graduate from the Juvenile Resource Center Alternative School 39
Crawley, Tanya, participant in OIC's New Pride project 40
Lynch, Thomas, assistant commissioner, Department of Corrections, State of New Jersey 42

ALPHABETICAL LISTING AND MATERIALS SUBMITTED

Crawley, Tanya: Testimony 40
Dubois, Nathaniel: Testimony 39
Fisler, Robert:
  Testimony 28
  Prepared statement 32
Florio, Hon. James J.:
  Testimony 3
  Prepared statement 11
Horton, Stella:
  Testimony 21
  Prepared statement 24
Lynch, Thomas:
  Testimony 42
  Prepared statement 48
  Doing Time in the Pines, from Burlington County (N.J.) Times, November 22, 1981, by Joan Perkins 56
  Workers on Lodge Rebirth Hope to Warm Winter Labor, from The Press, Atlantic City, N.J., November 25, 1981, by Neal Roberts 57
  Village Restoration Combines Talent, Natural Resources, from Asbury Park Press, January 30, 1982, by Sanne Young 58
Page, Hon. Robert: Testimony 16
Richardson, Benjamin: Testimony 27

ALTERNATIVE DISPOSITION TO JUVENILE INCARCERATION

SEPTEMBER 7, 1982

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
SUBCOMMITTEE ON JUVENILE JUSTICE,
Camden, N.J.

The subcommittee met at the U.S. Courthouse, Court Room No. 1, 3d floor, 401 Market Street, Camden, N.J., at 9:30 a.m., Hon. Arlen Specter (chairman of the subcommittee) presiding.

OPENING STATEMENT OF HON. ARLEN SPECTER, A U.S. SENATOR FROM THE STATE OF PENNSYLVANIA, CHAIRMAN OF THE SUBCOMMITTEE ON JUVENILE JUSTICE

Senator SPECTER. Good morning, ladies and gentlemen. We will convene this hearing of the Juvenile Justice Subcommittee of the Committee on the Judiciary. This hearing is one of a series which the subcommittee is holding on the problem of juvenile crime. The crime problem generally is one of enormous magnitude in this country, one which needs no emphasis, and is second only to the economy as the matter most on the minds of the people of this Nation and juvenile crime is a major contributing factor to the problem of violent crime.

From my own experience as district attorney of Philadelphia, I have seen many individual cases where a pattern of juvenile crime evolves from delinquency from school, truancy, vagrancy at 9 or 10, petty larceny at 11 or 12, burglary of vacant houses at 13, robbery at 15, armed robbery, robbery/murder at 17 or 18.

There is a point in the juvenile crime cycle where it may be possible to take the juvenile out of that criminal pattern and, if so, to save a life in a humanitarian sense and save society from the ravages of another career criminal. The State of New Jersey has a new code for dealing with juvenile crime which is to take effect next year. Camden is a neighboring city, as you may know, to my native city of Philadelphia, right across from Pennsylvania where I spent most of my time and it seemed to the subcommittee that this would be a good location to explore the problems of juvenile crime in New Jersey with emphasis on south Jersey and particular emphasis on Camden.

We have invited to be with us this morning Congresswoman Millicent Fenwick who is on the Education and Labor Committee; the House committee which has jurisdiction over the Juvenile Justice and Delinquency Prevention Act.

We have with us Congressman James J. Florio who has consented to be with us, is going to be our lead witness and when he finishes testifying, we will invite him to join the panel and participate in the balance of the hearings from this side of the bench to question witnesses as he may wish to do.

We are pleased to have with us, the Honorable Robert W. Page, presiding judge of the juvenile and domestic relations court of Camden County. We have scheduled to be with us light heavyweight champion of the world, Dwight Braxton, who has made a remarkable recovery himself from some earlier problems he had and we have a panel of Ms. Stella Horton, director of the alternative school, New Pride, Juvenile Resource Center, Camden, and Mr. Arthur Lewis, executive director of Opportunities Industrialization Center from Philadelphia, Mr. Robert Fisler, principal probation officer of the Camden County Probation Department and Mr. Thomas Lynch, assistant commissioner of the Department of Corrections of New Jersey.

One of the items which we are going to focus on here this morning is going to be the efforts made by New Pride to utilize community resources for support and family counseling which has enabled this program, with some 1,000 initial clients, to reduce the public cost for offenders from something in the $17,000 to $40,000 range to something in the $4,500 and $6,900 range.

Another aspect that we are looking forward to testimony on involves the subject of restitution programs for juvenile offenders. There have been approximately 260,000 hours of community service and some 4,000 hours of direct service by offenders to victims. This program demonstrates that restitution may be obtainable by the efforts and by the work of the juvenile offenders when the juvenile offenders have no moneys to repay directly the victims who have suffered those losses.

Before proceeding to the testimony of Congressman Florio, we would be pleased to hear an opening statement from Congresswoman Fenwick.

OPENING STATEMENT OF HON. MILLICENT FENWICK, A U.S. REPRESENTATIVE FROM THE STATE OF NEW JERSEY

Mrs. FENWICK. Thank you, Senator.

I am very happy to be here and particularly with you who have given so much thought, and done so much, in the field of juvenile delinquency, prevention and cure, as I know from my experience in the field myself.

Like you, I am most interested in these juvenile centers that we have here that I believe Ms. Horton will be testifying about, Juvenile Resource Center, and the New Pride Organization that one of the people I admire so much in this field, Rev. Leon Sullivan, has done so much to advance.

We must take this seriously. I was interested the other day in a talk radio program in Washington. A caller said:

I wish I could give you my name, Ms. Fenwick. You and I worked together on juvenile delinquency with Joe Partenheimer in Newark and when I left New Jersey 14 years ago, you and I had been working together for some time.

He said:

You don't remember, perhaps, but we were down here in Yardville with Mr. Elias worrying about juvenile delinquency, prevention and cure. I think that this New Pride and these juvenile resource centers, all these and your brilliant conception of restitution rather than incarceration, open a vital area.

There is no way of saying that we can't take seriously and must not take seriously the whole question of juvenile crime. I hope that we can hear today from the witnesses something that will make us feel that we are headed in the right direction.

Thank you, Senator. Thank you very much.

Senator SPECTER. Thank you very much, Congresswoman Fenwick.

I am very pleased to call at this time for opening testimony the Honorable James J. Florio. Congressman Florio has an extraordinary record. He graduated magna cum laude with a bachelor's degree from Trenton State College in 1962, did graduate work in public law and government, Columbia University in 1962 and 1963, has his law degree from Rutgers University Law School in 1967. He has a long list of achievements and awards and he has served with great distinction in the Congress, having been elected first in November of 1974 and we are very pleased to welcome you here this morning, Congressman Florio.

STATEMENT OF HON. JAMES J. FLORIO, A U.S. REPRESENTATIVE FROM THE STATE OF NEW JERSEY

Mr. FLORIO. Thank you very much, Senator. For the record, I would like to introduce my testimony in its entirety and will summarize it.

Senator SPECTER. That will be fine. Your full prepared text, which we appreciate your having made available to us, will be made a part of the record.

Mr. FLORIO. Thank you very much. I am pleased to be here at this hearing to deal with an evaluation and questions about the Juvenile Justice and Delinquency Prevention Act.

I arrived at the conclusion that Federal actions in this area are very much appropriate and very much in keeping with what is supposed to be the major thrust of a new concept of federalism.

I think fear of crime is one of the greatest concerns of my constituents and I suspect of constituents across the Nation. Most sophisticated observers really endorse the concept that the Federal Government has a role to play in the area of criminal research and dissemination of technical information to States and localities, enabling them to best address their local problems in local ways.

The subcommittee today is reviewing the success of these programs. I enthusiastically support this Federal effort to deal with youthful offenders. The program has as its emphasis the deinstitutionalization of so-called status offenders, providing leadership to States and localities in the appropriate treatment of juvenile offenders, and combating delinquency through a variety of special emphasis programs.

By continuing this program, the Congress has recognized the need to have an ongoing effort at preventing the involvement of young people in criminal activities.

Congress has recognized the disproportionate role that young people under 18 have in the commission of violent and serious crimes.

While juveniles from the age of 10 to 17 represent 14 percent of the total population, Justice Department data shows that they have accounted for 20 percent of all violent crime arrests.

HISTORY AND FUNDING DEBATES

Federal involvement in recognition of these facts has really existed since around 1961 in this field. Initial programs had been placed under HEW, the old Health, Education and Welfare Department, but in 1974 as you, Senator, particularly know, Congress moved the responsibility from HEW to the Justice Department with the passage of the Juvenile Justice and Delinquency Prevention Act. An Office of Juvenile Justice and Delinquency Prevention was established under the old LEAA program. Under title II of the act, block grants for States and special emphasis discretionary grants were distributed. The authorization level reached $200 million for fiscal year 1980, but the actual funding was about $100 million.

Legislation approved in 1980 extended the program for 4 years, through fiscal year 1984, authorizing $200 million annually. An important provision of the bill was the requirement that States, to receive block grants, remove within 5 years all juvenile offenders from any jail or lockup situation where they would be in contact with adult offenders. The previous administration argued that many of the 500,000 juveniles annually incarcerated in adult jails and lockups were charged only with status offenses or other minor charges. A good percentage of these people were runaways, and yet they were incarcerated with hardened adult criminals.

Congress, I think, appropriately sensed the danger of continuing to expose juveniles to adult criminals and approved this requirement. The fact that the 1980 amendments passed the House and Senate by voice vote I think indicates the unanimity this philosophic belief had in the Congress.

REAGAN ADMINISTRATION PROPOSALS

With the change in administrations, the broad support for continuing the Juvenile Justice programs has been put into question. This administration proposed the elimination of the Office of Juvenile Justice and the repeal of the 1974 act as amended in 1980. The administration cited the success in States upgrading their juvenile justice systems as the rationale for the elimination of some of those systems. Of all the cuts proposed for the Justice Department in last year's budget, Juvenile Justice would comprise half of those reductions.

A particularly cynical move, I thought, was that Department officials recommended that the JJDP program be included as eligible programing in the new social services block grant proposal to be administered by the Department of Health and Human Services. But HHS never included the juvenile program in any of its block grant planning documents and generally did not support the idea. Even if Juvenile Justice were so included, the prospect of having a $100 million Juvenile Justice program, itself a block grant, compete at the State level with 14 social service programs all previously admin-

istered by HHS, indicated that this program would certainly be lost in the shuffle.

The 14 social service programs totaling about $6 billion including title XX, itself a block grant, vocational rehabilitation, developmental disabilities, legal services and others. The catch in the proposal was thta funding for the sum of the prior appropriations was to be cut by 25 percent. So we can see one is expanding the concept of a block grant. One is rolling more programs into it and then cutting the funding, providing an inadequate amount of funding with, programs competing in this total block grant.

The Congress to its credit, realizing that because of the unique nature of many of these programs, consolidation into a block grant was not in the public interest, did not approve the proposal. The largest of these blocks, title XX, became the only component of a new block, thus yielding to the States more flexibility.

I would commend you particularly, Senator, for your leadership in opposing this plan to repeal the JJDP Act. Consolidation into that block grant would have been disastrous. It's unfortunate, though, that the program did sustain rather serious cutbacks. The authorization level was reduced from $200 million to $77 million in the Omnibus Budget Reconciliation Act of 1981. I am very proud of my having opposed that legislation in large measure because of the rather cavalier treatment of this program and other human services programs that comprise the greatest percentage of the $36 billion program cuts that were encompassed in the Reconciliation Act vote of last year.

The Congress appropriated $70 million for the Office of Juvenile Justice in the first continuing resolution for fiscal year 1982. Despite these clear affirmations of support for the cotinuation of this program, the administration has proposed deferring the spending for the Office. That was prevented by this Congress, again with the key leadership of Senator Specter. During this time in 1981, and responding to the Attorney General's concern about violent crimes, moneys have been reprogramed, increasing from about 15 percent to 33 percent of the resources addressing this program.

In the 1983 budget proposal the administration again proposed repealing the Juvenile Justice Office authorization. This was again rejected by the Congress.

NEW PRIDE

Let me turn from the ever present struggles for continuing this program to focus for a moment on the special emphasis programs and projects. I am proud to have in my congressional district one of the seven grantees in the Nation with a project New Pride Replication program. This is the Juvenile Resource Center based here in Camden. The subcommittee this morning will be hearing from individuals associated with that program.

As the subcommittee knows, this program replicates the successful New Pride program from Denver, Colo. It is an alternative to incarceration for predominantly minority youth age 14 to 17 with at least two, and frequently more, adjudications or convictions, as the case may be, for serious misdemeanors or felonies. New Pride strives to increase school achievement, employment opportunities, and to im-

14-889 O - 83 - 2

prove social functioning. It aims to reduce recidivism and focus all State and local resources in one program.

This program, New Pride, is an example of an innovative Government-funded program that, in fact, works. Looking at it from the aspect of trying to get young people into the labor market New Pride provides the necessary attitudinal changes for one to look for a job and, in these days if one is fortunate to get one, to try to keep that job.

We cannot expect that Government acting alone by creating public service jobs, or business acting alone in opening job opportunities, will prove successful in breaking through what appears to be an inevitable cycle of delinquency and crime that many of the participants become wrapped up in. A partnership of Government, working with community-based organizations such as the juvenile resource center, with the active partnership of a private sector willing to supply employment opportunities to those who have gained personal skills and employment skills, is a partnership that works the betterment of all.

Let me just conclude by saying that there are other special emphasis programs that are worthy of continued support. Restitution is one that's been alluded to in the Senator's and the Congresswoman's opening statements. The violent offender program likewise has been documented as having yielded positive results. These important projects must be allowed to continue so that their success may be spread. They are not an endless, mindless drain on the Federal Treasury.

For example, Camden County has assumed the cost of the restitution program that was started with Federal dollars. In conversations with Judge Page just before we started, he points, and undoubtedly will point, in his testimony to other programs that were started with Federal dollars and have now been able to be continued. I am sure that the subcommittee will want to learn about how those programs are operating in this area.

Likewise, you will hear from State officials who will lament, I suspect appropriately, the whole concept of Federal retrenching that is taking place, resulting in the State being required to cut off programs that are very important in this whole area. In my district we have a number of facilities that I have been to, Alpha House is one that comes to mind, that when these facilities must close because the money is being terminated, these are programs that are operated by the State correctional department. The young people in those facilities when they close will have to go into the traditional correctional facilities with all the problems that are associated with in appropriate placement of individuals in those types of facilities.

To summarize and conclude, let me again say that the Federal juvenile justice effort is appropriate, given our national concern about crime. Its goals are being met and the Federal leadership must be allowed to continue. It is entirely appropriate, and, in the spirit of the administration's new federalism, for the Federal Government to be leading, researching, and providing technical assistance on these successful programs. I think we can afford to do no less. To argue that they should be eliminated because we are saving money is to look in a very cost-ineffective way at the costs of programs of this sort. I think at this point it's almost a trite truism that the ultimate cost of not dealing with a problem early on is far in excess of any dollars that are

going to be saved by virtue of terminating some of these programs.

So I appreciate the opportunity to come and to express my thoughts on this subject and hopefully this committee will gain sufficient information so as to enable it to continue to fight the battle in Washington to maintain support for these types of programs that are much needed and in the public interest. Thank you.

Senator SPECTER. Thank you very much, Congressman Florio.

I have one or two questions but, Mrs. Fenwick, perhaps we can start with you on the questioning.

Mrs. FENWICK. As I understand it, there is quite a difference in the juvenile centers, the cost of the juvenile centers, and the cost of the New Pride. Now, is it that New Pride is residential and the other is not? Is that the difference in the cost?

Mr. FLORIO. Well, I think we are talking about costs, the major cost to be associated and the funding source—many of the programs that you will hear about today are funding programs that do not come from Federal moneys. They are programs that are financed out of State moneys and the State moneys unfortunately are being made less available because of the general flow of moneys that are being cut back.

Mrs. FENWICK. Congressman, it seems absolutely incredible, doesn't it really, when you think about it, if you are going to send a juvenile to Yardville or to any of our State institutions, the cost is so many times more expensive than it is in one of these other programs. If you are not even thinking about the benefit to the individual or to society which would not suffer from one who has been rescued from crime, the cost alone would make it justifiable for the State, for the county, for the Federal Government. There is an enormous disparity between the two systems. There is an institution in this State, Rahway—I used to do a weekly radio program there, trying to discover the sources of this kind of behavior. It's a complex. It's the family; it's education; it's society itself; the attitude that people have; and I think that that is very well demonstrated by the work that the resource centers——

Mr. FLORIO. Let me just point out something that we will all have an opportunity to deal with this very week. Of course, we are aware of the fact that there has been a supplemental appropriation that has been vetoed by the President. One of the components in that bill causing the veto, as I understand it, are moneys for educationally handicapped individuals. I had an occasion over the weekend to come in contact with a family whose child suffers from dyslexia. This individual happened to come from a good family in terms of economic resources. They uncovered what the problem was and the child is now being treated.

One can imagine that if that same child did not come from a family that had the sophistication or the resources to deal with the problem, went into school and got through the first three or four grades, fifth grade, not being able to read, the fact of the matter is that child may very well become disenchanted with the concept of school, become involved in something else and then go into the whole juvenile delinquency syndrome. Not because of anything other than the fact that no one ever uncovered the fact that he had a physical problem and, therefore, that precluded his ability to take part in the educational process.

Mrs. FENWICK. Could——

Mr. FLORIO. I hope when we deal with these types of programs we appreciate the fact that we are not just talking about health, we are not just talking about education. We are talking about an element of the criminal justice system potentially.

Mrs. FENWICK. Our handicap programs are well funded in this State of New Jersey but my own son had dyslexia and exactly what you describe is true. I knew something was wrong. It wasn't until he was 15 years old and finally we got him to the Stevens Institute of Technology that anyone suggested how we might get to the bottom of it. It was not so well understood in those days. I know exactly what you mean about dyslexia. You can turn somebody who has a happy, social child into someone who turns away from learning, from people because he feels such a failure every step of the way. But our handicap program, I think, is safe, separately funded and so on, and I think all of us believe that in New Jersey we have a pretty good program in that regard, the preceptually handicapped.

Mr. FLORIO. My point is the funding at the Federal level is now being jeopardized because of the failure, if the supplemental does not go through—and this is regarded as one of the three offensive parts—the senior citizen's job training opportunities, student loans and education assistance for handicapped are the total $3 billion portion of the supplemental that is regarded as offensive by some.

Senator SPECTER. Congressman Florio, you recite the history of the efforts to fund juvenile justice last year. We have the battle yet ahead of us.

In 1981 the funding was at $100 million and the last Carter budget for 1982 would have placed it at $135 million and we made an assessment that if we wanted to keep it at all, we would have to pare it back and we did to $70 million and were able to maintain for fiscal year 1983.

It was very difficult to do when Mr. Stockman then unilaterally ordered a rescission which was a well-kept secret for 29 days in 1981 before we discovered it, and were able to take the necessary steps in the Congress to have that rescinded, but that's a long continuing battle to get any funding on this very important subject.

You referred to the segregation which I think is a very important aspect. The law in its current form as I understand it accomplishes segregation of adults and juvenile offenders. It is a requirement for States to do so as a condition to Federal funding. There are about a half a dozen States which have not taken that invitation for Federal funding, still do not have the segregation of adults from juvenile offenders. The subcommittee held extensive hearings into facilities in the State of Oklahoma where a great many problems were noted. One of them was as a result of the mingling of juvenile and adult offenders.

What would your opinion be, Congressman, about a Federal statute which, instead of making Federal moneys contingent upon segregating juveniles and adults, had a flat requirement imposed by the Federal Government that States could not have juveniles and adults in the same detention facilities?

Mr. FLORIO. Philosophically I would support it but I think we can all appreciate the difficulty of having that enacted into law. Un-

doubtedly there would be the States' rights arguments that criminal codes are traditionally determined at the State level. The carrot and the stick approach has been one that has been relatively successful. I am saying that the funds would only flow if this segregation took place.

The thing I am most concerned about now, because I really don't believe that there is going to be too terribly much force behind such initiative because people are going to say, "Well, what about the money?" It's nice for the Federal Government to dictate that we should have segregated facilities, but the Federal Government is walking away from revenue sources for the States at this point. We may very well even see the Federal Government in a sense try to walk away from its responsibilities under this particular program. Now if the requirement were removed or if the money was not to flow, therefore just saying we can't afford to maintain separate facilities. We know in the State of New Jersey the difficulty of adequate correctional facilities to deal with the population, adult and juvenile. So that I am concerned that as we remove this carrot, if, in fact, there are those, and you mentioned Mr. Stockman, who see us as moving the carrot away, there may be some States who, because of the fiscal crunch that they are in, not having resources for a whole lot of different things that they want to do, may say we can't afford to maintain segregated facilities.

Now, that is again, not wise, but the crunch that's going to come in many of our States, particularly our northeast States, is going to require policies in the minds of some that are not wise but are just going to have to be enacted by virtue of the limitation or resources.

Senator SPECTER. But some States have refused to accept Federal funding.

Mr. FLORIO. That's right.

Senator SPECTER. And those States feel that they do not need the Federal funding to the extent of accepting this condition.

My own sense is that where a State like Oklahoma has juveniles and adults together, that there ought to be a Federal requirement that that really does touch the core of due process of law and would be an appropriate step for the Federal Government to take, having first taken the step of saying do it as a matter of your own choice with this incentive with the Federal funding, but then a State which chooses not to do so, having sufficient funding of its own to make its own choices and then refuses to do so, then there are demonstrable problems. It is my judgment that it's time for the Federal Government to act, say States' rights have a legitimate role but it is overstepped where you mingle juveniles with adult offenders with the tremendous problem that causes.

Mr. FLORIO. Philosophically, I am in agreement that that is a good goal. I don't know what the financial situation is in Oklahoma but I can certainly point to a number of States that if the Federal Government mandated that there be separate facilities, the financial resources in some States are not going to allow that State without Federal assistance——

Senator SPECTER. Oklahoma has both substantially lower unemployment than the State of New Jersey——

Mr. FLORIO. I am sure.

Senator SPECTER [continuing]. And substantially greater oil revenues than the State of New Jersey. So I think they can afford it better.

Mrs. FENWICK. Senator, if I may, I cannot understand if this is less expensive than keeping, for a State or for a county or for anybody, if it's less expensive to have these arrangements for juvenile offenders, why do they insist on putting them in the most expensive place?

Senator SPECTER. Well, it would be more expensive, though, to segregate. If they had a requirement on detention, for example, awaiting hearing, that juveniles are with adult offenders in Oklahoma and they would be more expensive for—not a great deal, but there would be some additional expense to segregate, but the problem is that when a juvenile goes in with an adult, he just learns the trades of crime.

Mrs. FENWICK. It's the worst. It's the worst. But I still don't understand. You can have homes that were centers that were less expensive. I don't know why, when it costs less, they insist on building new minimum, medium, and maximum security prisons, at enormous expense. It's now about, I think, $100,000 a cell in maximum and the construction is terribly expensive, if you can have these homes organized separately at less expense. Wherever there is crowding, you would, I should think, do better from the point of view of cost alone, but maybe we will find out from Mr. Lewis, perhaps.

Senator SPECTER. Congressman Florio, thank you very much. You are cordially welcome to sit with us on the podium.

Mr. FLORIO. Thank you. I am going back to Washington to prepare for some legislation tomorrow.

[The prepared statement of Mr. Florio follows:]

PREPARED STATEMENT OF REPRESENTATIVE JAMES J. FLORIO

I am pleased to have the opportunity to participate in this hearing on the Juvenile Justice & Delinquency Prevention Act. I welcome you, Senator Specter, to New Jersey and I commend your choice of Camden as the site of this hearing.

The message I would like to give the Subcommittee briefly today is that the Federal Juvenile Justice initiatives are appropriate activities for the Federal government, they have had positive results at the state and local level, and, given this, proposals to eliminate this funding should continue to be rejected by the Congress.

There is no doubt that fear of crime is one of the greatest concerns of my constituents. While there is also a concern about the amount of Federal spending and the degree to which the Federal government is involved with citizens' lives, sophisticated observers endorse a Federal role of crime research and dissemination of technical information to states and localities, enabling them to best address their local problems.

Some would perhaps advocate an active Federal program pouring billions of dollars into anti-crime efforts. This was tried before, with the Law Enforcement Assistance Administration, with less than spectacular results. Crime is still with us. LEAA is not.

The direct Federal role is to be more limited. I was pleased to cosponsor legislation passed by the House earlier this year, the Justice Assistance Act, which establishes a modest block grant to fund criminal justice programs which have had a proven record of success. It applies funds more narrowly than under LEAA, and requires a 50% hard cash match. $170 Million is authorized for Fiscal 1983. This bill was introduced by my colleague from New Jersey, Congressman Bill Hughes, Chairman of the House Judiciary Subcommittee on Crime. I am hopeful that the Senate will approve this proposal this year.

The Subcommittee today is reviewing the success of the JJDP programs. I enthusiastically support this Federal effort to deal with youthful offenders. This program has as its emphasis the

deinstitutionalization of the "status offender," (young people who would not be illegal except for their age), providing leadership to states and localities in the appropriate treatment of juvenile offenders, and combatting delinquency through a variety of Special Emphasis programs.

By continuing this program, the Congress has recognized the need to have an ongoing effort at preventing the further involvement of youth in crime. Congress has recognized the disproportionate role youth under 18 have in violent and serious crimes. While juveniles aged 10-17 represented about 14% of the total U.S. population in 1979, Department of Justice data shows that they accounted for about 20% of all violent crime arrests, and 39% of arrests for serious crimes. The annual cost of juvenile crime and delinquency has been estimated at over $10 Billion a year. The encouraging aspect of the statistics is that the proportion of persons under 18 arrested for serious crimes has fallen consistently each year since the Juvenile Justice Act was passed, and is lower this year than at anytime since 1965.

History of the Federal Program

Federal involvement in juvenile delinquency control began in 1961 with legislation establishing pilot projects intended to demonstrate improved methods of juvenile delinquency prevention and control. Administered by the Department of Health, Education & Welfare, this was reauthorized through 1967.

This effort was broadened in 1968, with a new HEW program for block grants and discretionary project grants available to state and local governments to improve community services relating to delinquency control and to train personnel in related occupations. HEW, it was later found, poorly administered the 1968 Act, delaying and expending only half the appropriated funds.

In 1974 Congress moved the responsibility from HEW to Justice, with passage of the Juvenile Justice & Delinquency Prevention Act. An Office of Juvenile Justice and Delinquency Prevention was established under LEAA. Under Title II of the Act, block grants for states and "Special Emphasis" discretionary grants were distributed. The authorization level reached $200 Million for FY 80, but the actual funding only $100 Million.

Legislation approved in 1980 extended the program for four years, through FY 84, authorizing $200 Million annually. An important provision of the bill was the requirement that states, to receive block monies, remove within five years all juvenile offenders from any jail or lock-up where they would be in contact with adults. The Carter Administration argued that many of the 500,000 juveniles annually incarcerated in adult jails and lock-ups were charged only with status offenses or other minor charges. Congress sensed the danger of continuing to expose juveniles to adult criminals and approved this requirement. The 1980 amendments passed the House and Senate by voice votes with overwhelming bipartisan support. The Carter Administration then requested an appropriations increase to $135 Million.

With the change in administrations, the broad support for continuing the Juvenile Justice program was seriously challenged. The Reagan Administration proposed elimination of the Office of Juvenile Justice and repeal of the 1974 Act as amended in 1980. The Administration cited the success in states upgrading their juvenile justice systems and declared that further Federal funding would not be justified. Of all the cuts proposed for the Justice Department, Juvenile Justice would comprise half the reductions.

In a particularly careless and cynical move, Department officials recommended that JJDP be included as eligible programming in a new Social Services Block Grant to be administeredby the Department of Health & Human Services. But HHS never included JJDP in any of its Block Grant planning documents, and generally resented the intrusion. Even if Juvenile Justice were so included, the prospect of having the $100 Million Juvenile Justice program, itself a block grant, compete at the state level with 14 social service programs all previously administered by HHS, indicated that JJDP would certainly be lost in the shuffle.

The 14 social service programs, totaling around $6 Billion, included Title 20, Vocational Rehabilitation, Developmental Disabilities, Legal Services and others. The catch in that proposal was that the funding for the sum of the prior appropriations was to be cut by 25%, with that figure becoming the new authorization level.

14-889 O - 83 - 3

The Congress, realizing the unique nature of many of the programs proposed for consolidation into the Block Grant, did not approve the proposal. The largest of those programs, Title 20, became the only component of the Block, thus yielding to the states greater flexibility on the use of the Federal dollars.

I commend you, Chairman Specter, for your leadership in opposing this plan to repeal the JJDP Act. Consolidation into that Block Grant would have been disastrous. It is unfortunate that the JJDP program did sustain a serious cutting. The authorization level was reduced from $200 Million to $77 Million in the Omnibus Budget Reconciliation Act. I voted against that bill.

The Congress then appropriated $70 Million for the Office of Juvenile Justice in the First Continuing Resolution for FY 82. Despite these clear affirmations of support for the continuation of this program, the Administration proposed deferring the spending for the Office. That was prevented by Congress, again with key leadership by Senator Specter. During this time in 1981, and responding to the Attorney General's concern about violent crime, OJJDP reprogrammed project monies, increasing from about 15% to 33% its resources addressing this problem.

In the 1983 budget proposal, the Administration again proposed repealing the Juvenile Justice Office authorization. This was again rejected.

Let me turn from the ever-present struggles for continuing the Juvenile Justice program to focus on the Special Emphasis projects. I am proud to have in my Congressional District one of the seven grantees in the Nation with a "Project New Pride Replication Program." That is the Juvenile Resource Center based here in Camden. The Subcommittee this morning will be hearing from the Center's Stella Borton.

As the Subcommittee knows, this program replicates the successful New Pride program in Denver. It is an alternative to incarceration for predominantly minority youth aged 14-17 with at least two, and frequently many more, adjudications/convictions for serious misdemeanors or felonies. New Pride strives to increase school achievement,

employment opportunities, and improve social functioning. It aims to reduce recidivism and focus all State and local resources in one program.

New Pride is an example of an innovative government-funded program that works. Looking at it from the aspect of trying to get kids into the labor market, New Pride provides the necessary attitudinal change for one to look for a job, and if fortunate enough to get one, to be serious enough to stick with it. We cannot expect that government acting alone, by creating public service jobs, or business acting alone, in opening job opportunities, will prove successful in breaking the cycle of delinquency and crime New Pride participants were falling into. A partnership of government, working with a community based organization like Juvenile Resource Center, with the active partnership of a private sector willing to supply employment opportunities to those who have gained personal skills and some employment skills, is a partnership that works for the betterment of all. It is entirely appropriate for government to play this role of catalyst. New Pride clients have shown a greatly reduced recidivism rate and increased academic performance. The Camden project operates a sandwich takeout shop not far from here, providing realistic business training. This has proven to be a popular downtown lunch spot.

The other OJJDP Special Emphasis programs of Restitution and the Violent Offender program are also having results. These important projects must be allowed to continue, so that their success may be spread. These are not endless drains on the Federal treasury. For example, Camden County has assumed the cost of the Restitution program started with Federal dollars. I am sure that the Subcommittee will want to learn more about how these programs are working in Camden County by listening to the testimony today.

To summarize, let me again say that the Federal Juvenile Justice effort is appropriate, given our national concern about crime, its goals are being met, and the Federal leadership must be allowed to continue. It is entirely appropriate, and, I might add, in the spirit of the Administration's "New Federalism", for the Federal government to be leading, researching, and providing technical assistance on the successful programs. We can afford to do no less.

Senator SPECTER. Thank you. We appreciate your being here with us to share your views with us this morning.

Next, we would like to call the Honorable Robert Page who is presiding judge of the juvenile and domestic relations court in Camden County.

Judge Page received his bachelor's degree from Dickinson College and his law degree from Rutgers University, was admitted to the practice of law by the New Jersey Supreme Court in 1960 and prior to his appointment to the bench, served as U.S. attorney and on the bench of the workman's compensation court in New Jersey.

In 1973, he was appointed judge of the juvenile and domestic court and in 1974 was appointed presiding judge of that court.

In 1981, Judge Page was appointed to his present position with the Superior Court of New Jersey.

He is currently serving on the Supreme Court of New Jersey committee on juvenile and domestic relations, subcommittee on rules and legislation, juvenile restitution division of youth and family services, children and place review and the children's code.

Welcome, Judge Page. Your prepared text will be made a part of the record and we would be appreciative if you would summarize it so we can have the maximum amount of time for questions.

STATEMENT OF HON. ROBERT PAGE, PRESIDING JUDGE OF THE JUVENILE AND DOMESTIC RELATIONS COURT IN CAMDEN COUNTY, N.J.

Judge PAGE. Thank you, Senator and Congresswoman. It's my pleasure to be here. I did not have an opportunity to prepare a text because I have been on vacation and only got home this weekend. I would like to supplement by remarks, if you feel that would be appropriate, but I have made some notes and checked on a few areas.

The court's perspective in working with young people in trouble has been a lifetime experience for me to the extent that I am entering my 10th year in the juvenile court by choice. I just completed my 9th year a few days ago. During that course of time we have had thousands of families of troubled youth come before us and work with us. I have always maintained that the court had a responsibility not only to send people away but to provide conditions for their not being sent away, and to develop programs. I think the court must take the leadership in developing programs equally as much as it must take the judgmental role.

Because of that we started early on and when I first took the bench, they told me, they said, "Bob, do your couple of months in the juvenile court or year or whatever it is and get out of there. No one can stand it and it's too much pain." I felt that for my own personal survival as well as for responsibility that we had to try to develop other ways in the State training school for boys and girls at Jamesburg and Yardville youth correctional facility and the State training school at Annandale, all of which I am sure Congresswoman Fenwick knows by reputation, if not by personal experience, having visited those institutions. They are not places for people to be. No child has ever been helped by the State training school for boys at Annandale.

I am very happy that we have been able to move the young people out of that facility. Picking up where you left off with your question earlier, I am fearful that we are going to start putting children back into that kind of environment which, by the way, is also with adult offenders.

If our present fiscal problems in New Jersey, which are very similar, if not heightened, to those throughout the Nation, heightened because—my county, for example, is half a million people. It's an urban and suburban county. Where you are sitting you need not look very far to see both north and south Camden and the problems, the economic problems that we have got. It is a breeding place for crime.

We have a lot of effective programs, however. We think that we can show you and show the rest of the Nation that juvenile court and the juvenile court systems in Camden County with serious economic problems are effective and have been much more effective than the adult criminal process. We think that we can show, and some of the witnesses here today I hope will tell you about the juvenile resource center.

Senator SPECTER. How have you been more effective, Judge Page, than the adult criminal process?

Judge PAGE. We have a recall program which has kept track of every one of the kids that we have sent, for example, to juvenile institutions and by bringing them back and putting them into—I am starting from the top with the hardcore offender, kids which had to be committed. We have been able to keep our recidivism rate down from 18 to 23 percent which compares very favorably with the normal institutional rate.

We started another program called home detention which was then picked up by corrections and which I'm going to talk about a little bit later; sadly, it was closed within the last month and a very sad set of news for New Jersey which has gone back 30 years within the last month and closed most of the community-based treatment programs here in this area. A tremendous step backward.

But that home detention program—and I have in my hand a history of every young man that I have ever sent to the program and what happened to him. So these are the kind of statistics that you can rely on. We have a 29-percent recidivist rate in that hardcore community-based program which, again, I think helps kids deal right on the street with problems. That particular program begins with 1 month or more in the house where they are actually staying in the program in south Camden. Actually, it's a former convent, part of the diocese that was phased out. It's a very effective program. Within the last month—I was going to talk about the good news and the bad news and, yes, I am getting into the bad news, so let me get that over with.

Within the past month, the community-based treatment programs in our county and throughout South Jersey have been closed uniformly. Alpha House, the group home that was started right in the court, was started the first year on the bench collecting people in the courtroom like this and sitting around this kind of a table and we formed a nonprofit corporation, Group Homes of Camden County, which began Alpha House and began Beta House and it was our

intent to have Group Homes as an alternative to sending them someplace else, to keep them home. Alpha House is now closing.

The director of the youth programs in the department of corrections, Mr. Lynch, is here, and I am sure he can tell you later in his testimony about the impact of these budgetary cuts on our South Jersey area and throughout the State.

The Alpha House was closed—home detention was closed. We have other programs just a couple of counties up, the Stuyvesant Avenue program which was not developed by this court. It was developed by Mr. Lynch and his staff but it is accessible to our kids. That is being closed. The Skillman State Training School for Boys which Congresswoman Fenwick knows, because it's up in her area. Lycraform School, it was a model how we dealt with younger children and helped them not to move on to Jamesburg and Annandale, is just being closed. Just a sweep of the pen and all these programs have gone back. New Jersey was the leader many years ago in devoting these models. While the filed programs themselves have remained open with this cut—I think there are only two left, perhaps three. What we learned in the Highfield experience was exported to all these community-based treatment programs that kids listen more to other kids, positive peer group pressure, things that they call guided group interaction. All our programs were based upon that and now so many of them have been swept aside.

Like I say, society, as you all know and have heard so many times, is judged by how it deals with its least fortunate people. Our young people don't vote. I don't know that that's important but they do commit a substantial amount of crime and they do cause so much misery for others and for themselves and for their families. If society cannot deal effectively with its young people and their troubled families, we cannot deal with anything because the young people will move on and become families which are required to receive constant assistance and constant attention of the Government.

That was the bad news which I really want to leave but let's go to the good news. We can deal with these problems. We have established, for example, in Camden County, two family counselors connected right with the juvenile court whose offices are right down the hall from mine. They see the troubled families before I do. I believe in that. I believe that they should have an opportunity to work with families, work skills, to try to develop ways of a family dealing with a child. It's ridiculous to think that judges and police and youth counselors are going to follow children around for the rest of their life solving problems. Unless we teach them skills to deal with the community themselves, we will lose them. Those skills can be learned the wrong way in Jamesburg.

I think that, like I said, for all the problems of the juvenile justice system, it does work. It has been able to show child after child—I was thinking of the young man who—I'm going to call him Jimmy. As a matter of fact, that was his first name. I had made that name up but now that I think about it, it was his name, a young man from our community of Cherry Hill who, within the space of 1 month's time, did 15 burglaries, never having been in trouble before, never having been in trouble in school or different things. Now, why would Jimmy, all of a sudden, grow up to be that?

Checking back through our family intake unit, which is another thing we developed in the court to try to divert 60 percent of our kids, we found that Jimmy's family broke up. This all happened in January, in mid-January. Around the end of December, the father said he was leaving and going off somewhere with his secretary or something and Jimmy couldn't deal with this problem—just couldn't deal with it.

Now, what did we do with this particular situation? We forced compliance, mandated that Jimmy and his father and his mother sit down and work this out—with intensive family counseling. We could have given up on Jimmy—15 burglaries; that's enough to go to jail for the maximum time.

You know, Senator, as being prosecutor, how you can snowball crime after crime after crime if you want to and you can add up the years and he could have gone forever. We didn't get the family back together again and I don't think that was our goal. We don't work reconciliation anymore. It really didn't work but we do work conciliation. We were able to show the father and Jimmy that they could still deal together in a human relationship and a positive parent/child relationship. That happened about 3 years ago and I know that Jimmy hasn't been back in this court because I have been sitting here for that time and I would have known.

There are so many things that can be shown. One of the things that I demand as my price for supporting the juvenile resource center was that they send me regularly lists of people by name as to where they got them jobs and different things. I think it's the bottom line. I am not too interested in statistics because very frankly, statistics in the juvenile justice system mean nothing. You can make them prove whatever you want to prove.

Senator SPECTER. Judge, you talk about 18 to 23 percent recidivism which is certainly a far better picture than the 60-percent statistics you cite from the institutions. What has gone wrong in those cases where recidivism does occur?

Judge PAGE. Well, Senator, I think there is a very small percentage of people who again are somewhat hardcore, hardened, sociopathic, which the best laid plans of men will not necessarily succeed as to this point. I am still an optimist. I still believe we have to work with very, very serious recidivists but we should be separating them from other kids who can be worked with.

Senator SPECTER. How big a percentage do you think that is?

Judge PAGE. I don't believe it's bigger than 5 to 10 percent. I think we can work with 90 percent of the young people. I think what we have to do, Senator, we have to use community based programs, we have to use accountability for the juvenile, for the family, for the Federal Government, for the judges, for the system. In other words, we don't want to fund programs that don't work. We want to make them be successful, like New Pride. Why New Pride is here in this Senate Judiciary hearing is because it works, and that we have to insist on, particularly in the days of tightened budgets, not only Federal but the State and county and local level.

On of the things, Senator, if I want to make anything in this hearing, all of my programs, all of the programs that we have started, were started with Federal seed moneys, family counseling, family

intake, Alpha House, Beta House, home detention, JRC, all of the things that started with Federal seed moneys, they have all been moved into other areas.

As we see with the State having tragically cut its funds and wiping out half of them within the last month, we are hopeful that with appropriate concern that they will come back. If we can realize, if people would only realize the importance—I heard that the reason why they cut all these programs within the last month, they would involve the least danger to society.

I would submit to you they provide the most danger to society because those kids are going to go to Jamesburg now and they are going to learn how to go from burglary to armed robbery.

Senator SPECTER. Judge Page, if we may, perhaps we can move on to some questions now from Mrs. Fenwick.

Mrs. FENWICK. I think that anybody who has listened and worked in the field of corrections would agree with you, but there is some irreducible, it seems, minimum of people who are simply anti-social, sociopathic or whatever fancy word one wants to give to it. They just are. You talk to people in prison, talk to prisoners, and they will tell you the same thing. "If we could get rid of 5, 7 percent of the people in this prison, we could run a decent place where people could learn their high school equivalency and some kind of a trade but we have got people here we can't deal with."

There was even some talk of making a maximum prison for that kind of irreducible minimum but when you start to choose between one human being and another and you start to decide, there is where you say your prayers and I don't know that an election system in the prison, itself, wouldn't probably be the best way, to tell you who are the real trouble makers.

Judge PAGE. They probably know better than we do.

Mrs. FENWICK. They know better than we do. You listen to them.

But we ought to be able to stop this. You read earlier and earlier, 10-year-olds with knives threatening people. Something is terribly wrong. I remember once in Rahway Prison asking how did you get into this and to my surprise the prisoner said to me, "You are the first person who ever asked me." Nobody seems to be interested in why people start on this path and continue there. Now we have learned that you can do something: New Pride and all these efforts show that something can be done. We can reduce the recidivism rate. We ought to be able to get tighter and closer and closer to that kernel of truth that will tell us, what makes one person turn one way and how can you deflect that path.

We need psychologists studying people and people like you, Judge Page, who care. I suppose that's probably the first and most necessary characteristic. People who care about other human beings and are determined to help them if they can.

Now, I keep coming back to this and somebody is going to have to tell me because I am so persistent. If it's going to cost $20,000 in Jamesburg or Yardville, why are State and county not happy to put them in new pride which costs, what is it, $7,000? Why not?

Judge PAGE. Well, I can't see the wisdom of it either. I really can't. I would only say that, as budgets tighten down, Congresswoman, the powers that decide what little money we have in block grant are going

to take those who they believe are most sociopathic and most needy of barbed wire and locked doors and fund them. The rest of them are determined to be less dangerous and, therefore, cut out. We come to an armed camp society where we will only spend money for barbed wire and doors and not for jobs.

I know most of the kids, I know them personally and I have talked to them. They would rather have a job than steal. It's too much of a hassle to steal, be caught, hauled in front of a judge, taken away and all this kind of stuff. If you just give them a job, the vast majority of them won't be involved.

Mrs. FENWICK. Thank you.

Senator SPECTER. Thank you very much Judge Page. We are very grateful for you coming today.

I would like to next call the panel of Ms. Stella Horton, director of the Alternative School of New Pride, Juvenile Research Center in Camden. Mr. Benjamin Richardson, director of Project New Pride OIC is substituting for Mr. Arthur Lewis, Mr. Richardson is accompanied by Ms. Tanya Crawley, a 16-year-old who is participating in OIC's New Pride project and Mr. Robert Fisler, principal probation officer of Camden County Probation Department. Welcome, ladies and gentlemen. We very much appreciate your being with us today and perhaps we can start with Ms. Horton.

STATEMENT OF STELLA HORTON, DIRECTOR OF THE ALTERNATIVE SCHOOL OF NEW PRIDE, JUVENILE RESEARCH CENTER IN CAMDEN, N.J.

Ms. HORTON. Thank you, Senator Specter. Congresswoman Fenwick, other panelists, visitors, et cetera.

I would like to share with you briefly for a moment a kind of scenario that would be quite applicable to a student or an individual entering a New Pride program. Consider for a moment John Smith who, of course, isn't his real name, is currently 17 years old who, at the age of 13, was arrested for breaking and entering, who at the age of about 15 got into very serious fights with his classmates and in all probability was suspended from school several times. If you can conceive for a moment at the age of 15 he was arrested for a larceny and convicted and also charged with possession of a weapon. Now, consider those years and that youth's life compared with this July when that same individual graduated from the juvenile resource center as a student; who became fully employed, has his GED and now, in the words of a traditional, is a productive member in society.

John Smith probably will not get into trouble any more, having had the opportunity of attending the juvenile resource center. There is no doubt in my mind that he can be productive in the world of work. There is also no doubt in my mind that if it had not been for the juvenile resource center, John Smith, in all probability, would be cooling it in a jail and would be repeatedly getting into trouble.

Objectives in justice programs as has been previously indicated must be different than those objectives established for adults. This is not in any sense of the word to advocate a soft approach to juvenile criminals. Suppose for one terrible moment that we didn't even care about each individual child that was in trouble and we won't even talk

14-889 O - 83 - 4

about what's best for the juvenile of this moment; but, what we must understand is there has to be a different approach.

Now, the question is why? In a youngster age 15 or 16 the need to rehabilitate is far greater than the need to punish. That doesn't mean, however, that we think youth should get off scot free when doing crime. It means that as we punish we must give consideration to alternatives, consideration to changing that individual. There is a long period ahead for society and that youth, consider 40 or 50 years that we must consider in concerning ourselves with incarceration, wherein, if that youth has the opportunity to participate in community based programs, we may be talking about a short-lived criminal.

I am just going to briefly summarize my comments and, of course, they will be entered and in my summation I want to point out a couple of things.

At the juvenile resource center, and the qquestion has been asked: What is it that the juvenile resource center does? What is it that community-based programs do? At the juvenile resource center there are several things that are done. First we do intensive counseling, often called intensive supervision. We concern ourselves with aiding young people in dealing with what we call life surviving skills. How does an individual balance a checkbook, how does an individual secure a job, what is the proper way to develop a résumé, how does an individual sell himself to an employer, very realistic kinds of skills that's going to aid that youth in being productive.

We need to save our jail space for those youngsters who should be locked up and we agree that many do need to be in prison. If we had effective juvenile programs like JRC all over the State it would free up prison cells to the violent offender. If we reserve jail cells for those who can't be helped in the community then even those who are incarcerated might get the attention they need in order to be effective and productive once they are outside. If you release a youngster from jail who has no diploma, who has no skills, what do you think the chances are that he will stay out of incorrective behaviors? Even if he is well intentioned, he must have the tools to make it in this real world. Otherwise he will fall back into his age-old pattern.

Some people protest when they find out that we of the Juvenile Resource Center have a comprehensive recreation program for our young people and the question often asked: Why do you reward youth who have been in trouble? It is not rewarding. We are saying provide them with love, attention, address their needs that have often gone unheeded.

Once a youth has tools to make it on his or her own, then they can survive without returning to his or her past behavior as I previously indicated.

We are asked frequently how it's possible to help a youngster while he is still living in the home and neighborhood environment where he began his criminal behaviors while he is still subject to the pressures of his peers and old friends, and I don't want you to think that I am saying that all of these environmental problems must be negated. Those environmental problems must be considerations that we face. Often a counselor will go into the home and get a youngster up out of bed to come to school. We must help break the habit. He must break the old habits.

We lose some, sure. But then compare our statistics to those of youth who are incarcerated. Our recidivism rate is less than 20 percent. Suppose for one moment——

Senator SPECTER. How many people have you had on that statistical base?

Ms. HORTON. We have in the course of a year serviced the needs of approximately 200 youth.

Senator SPECTER. How many years has your program been in existence?

Ms. HORTON. We have been in existence now 5 years.

Senator SPECTER. So you have serviced in excess of 1,000 young people.

Ms. HORTON. That is correct.

Senator SPECTER. And your recidivism rate is 20 percent?

Ms. HORTON. That is also correct.

Senator SPECTER. What kind of people are sent to you? Do you get the worst?

Ms. HORTON. Many individuals refer to our youth as the bottom of the barrel, that there is no place else for them to go other than to our program.

Senator SPECTER. You get people who are adjudicated delinquents?

Ms. HORTON. Right, in many instances and I can give you an example of Nathaniel Dubois.

Senator SPECTER. Behind them, the statistics are people who have been involved in armed robberies, those sort of things?

Ms. HORTON. We have had very serious crimes, rape, armed robbery. We address these serious kind of crimes.

Senator SPECTER. You don't, of course, have any security at the facilities. The people return to their parents at night.

Ms. HORTON. Yes.

Senator SPECTER. What is the nature of the counseling that you have?

Ms. HORTON. We have a counseling component coupled with our educational component. Now, the counseling component emphasis, family counseling as a course success in its implementation. Youth who are enrolled in the program are counseled daily in groups as well as on an individual kind of basis. If family members are present, we consider the total setting that the youth is in, we will even have family members, mother, father, other brothers and sisters to come and participate in the family sessions.

Senator SPECTER. Thank you very much, Ms. Horton. We are going to have to move on. Unfortunately our time is short. Your full statement will be made a part of the record.

Ms. HORTON. Very good, Senator.

Senator SPECTER. We will come back to you for questions when we hear from Mr. Richardson and Mr. Fisler.

[The prepared statement of Ms. Horton follows:]

PREPARED STATEMENT OF STELLA HORTON

John Smith (that's not his real name) is 17. When he was 13 he was arrested for breaking and entering. He got into fights everyday and was thrown out of school a couple of times. At 15 he was arrested and convicted of larceny, possession of a weapon and then dozen minor offenses. He was thrown out of school for good. In July, John was presented with an award for achievement at a Juvenile Resource Center Alternative School graduation. He earned a high school equivalency. He had a job. And,... he hasn't been in trouble. He probably won't get into trouble again because he can make it in the real world. There is not doubt in my mind that if not for the Juvenile Resource Center, John would be cooling his heels in prison, and would get repeatedly into trouble for years to come.

Objectives in justice programs must be different for youngsters than for adults. That's not a soft-on-criminals approach. Suppose for one terrible moment that we didn't ever care about each individual child that's in trouble. Let's not even talk about what's best for the child right now. There still has to be a different approach. Why?

In a youngster aged 15 or 16 the need to rehabilitate is greater than the need to punish. That doesn't mean we think kids should get off scott free for doing wrong. It means, that as we punish them, we must change them. There is a longer period ahead in which he could be harmful to society. Forty or fifty years. And there is more chance to turn around a 15 year old than a 38 year old.

Quality community programs work better than incarceration for several reasons. And the emphasis is on quality. First of all, they are cheaper. It costs between 3-6,000 to help a kid in a good non-residential program. It costs about $15-20,000 to keep a young person in prison.

It is more effective to put him through G.E.D. or high school diploma preparation, counsel him and help him get a job, than it is to lock him up. More than 70% of youth who come to J.R.C. get jobs in private industry and don't get re-arrested. They learn how to read, write, balance a check book, shop for food, manage daily things.

We need to save our jail space for those youngsters who SHOULD be locked up. And we agree that many DO need to be imprisoned. If we had effective Juvenile Programs like J.R.C. all over the state, it would free up prison cells to the violent offenders. If we receive overcrowding and reserve jail cells for those who can't be helped in the community, then even those who are incarcerated might get the attention they need to become productive on the "outside".

If you release a youngster from jail who has no high school diploma, no skills and no job, what do you think the chances are that he'll stay out of trouble. Even if he's remorseful about his past crimes. Even if he's well intentioned, he MUST have the tools to make it in the real world. Otherwise, he'll fall right back into the old pattern.

Some people protest when they find out that recreation is part of our program for young offenders. They say things like "You mean you're rewarding this criminal for his bad behavior by taking him to a ball game!" No we are not rewarding him.

It might surprise you to know that a kid who feels perfectly comfortable walking into a gas station with a gun to hold up the manager, is petrified to go to a window to buy a ticket to a game. He doesn't know where to go, what to say, or how to act when he gets there. He's mortified that he'll say something to embarrass himself. So he stays away. Some of our young people have never seen an alarm clock, a bus schedule, a checkbook, or a train.

Once they have the tools to make it on their own, they can survive without returning to past behavior. We're asked frequently how it's possible to help a youngster while he's still living in the home and neighborhood environment where he began his criminal activities. While he's still subject to the pressures of old friends and bad influences. Please don't think I'm saying it's easy to overcome this environmental problem. Believe me, it's not. But, while it's tough, it's not impossible. And what wonderful environment will he be exposed to in jail. Certainly not members of the New York 400, or the main line set. He'll be side by side with other young criminals learning new and better ways to keep from getting caught.

Sometimes we have to physically go to a student's house every day to get him out of bed and make sure ge get's to school. We get him in the HABIT of doing things the right way. And when he's subjected to bad influences, we're there to steer him out of the quagmire.

We lose some, sure. But then, compare our statistics to those of kids who ARE incarcerated. Our recidivism rate is less than 20%. Suppose for one moment that every adult in jail right now had HAD an alternative like the J.R.C. when he was 15 or 16. How many of them would not have wound up in the revolving door? I'm willing to say that half of them, or more, would not be in jail.

In New Jersey today we are considering the awesome task of providing more beds for prisoners. In the Governor's recent report there were lots of statistics about how many new beds would be needed each year, how we should fund them, where we should lock them up. Facts. Figures. Charts. Graphs. Nowhere did it say where these new criminals were coming from. Well, most of them are coming from the Juvenile Justice system. Nowhere did it mention that we should be trying to find ways to diminish that population by changing young criminals before they get to be adult criminals.

We can't continue to build more jails and jail cells. We can't consider the possibility of keeping people locked up for 40 or 50 years, off and on.

Although alternatives like the J.R.C. have been tried on a trial, or pilot basis, it has never been done on a large enough scale to make a dent in the statistic so the experts say they don't work.

For example. Some point to L.E.A funds and say that all the money poured into the program didn't make a dent on juvenile crime. But that was not a sizeable trial. Most L.E.A. money went into "hardware" such as well equipped police vehicles. Some went to good programs like police training. But less than a nickel of every dollar went into Alternative Community Program. To say that community alternatives have not reduced juvenile offenses would be like saying that Little League is not popular because the boy next door doesn't play.

Quality community alternative can and do work. We need to find ways and right now, to make it happen.

Mr. Richardson, we welcome you here. We are very pleased to have you here and look forward to your testimony.

STATEMENT OF BENJAMIN RICHARDSON, DIRECTOR OF PROJECT NEW PRIDE OIC

Mr. RICHARDSON. Thank you, Senator. My name is Ben Richardson and I work with the Philadelphia OIC Project New Pride located at Broad and Girard Street. The project New Pride program began in February 1981 and over the past 18 months have serviced over 200 youthful offenders. The services within our program include individual, group, family counseling, individualized education, career education, and also an important part, work exposure and a linkage with other community resources.

Some of the special problems that our clients experience are low education levels, learning disabilities, family problems, emotional disturbances, poor work attitudes, and the lack of role models.

What I would like to do is just look at some of the outcome of project New Pride in the last 18 months. No. 1, there has been a discernible change in attitudes and behaviors and subsequent avoidance of further contact with the juvenile justice system; as well as the formulation, implementation, and stabilization of educational, vocational, and employment objectives.

We have also seen a quantitative increase in academic performance level. We are talking about an average increase of 2.5 grade level among students who have been involved in sort of a negative aspect of education. We have also seen an improvement in social and academic functioning of our youths.

What I would like, and I am very pleased with this, is to make a statement that over the past 12-month period, 65 percent of the students who completed the program in Philadelphia OIC New Pride did not experience any rearrests or court contacts.

We have also seen during the program cycle youth raise their educational level as I——

Senator SPECTER. 65 percent?

Mr. RICHARDSON. 65 percent.

Senator SPECTER. And what kind of violators are sent to you, the worst?

Mr. RICHARDSON. We have the worst. We have youngsters who run anywhere from armed robbery to rape. Our statistics shows that there have been an average of 21.2 arrests with 11.2 adjudications.

Senator SPECTER. 21.2 percent——

Mr. RICHARDSON. Youngsters coming in to us have had an average of 21.2 arrests.

Senator SPECTER. And the others——

Mr. RICHARDSON. The other youngsters—we are talking about a medium now in terms. Youngsters coming to us——

Senator SPECTER. So a great many of those who come to you have not been adjudicated delinquents?

Mr. RICHARDSON. All of our youngsters who come to us have been adjudicated. Our youngsters have to have had two or more adjudications or we will not accept them into the program.

Senator SPECTER. And that means followed by an adjudication of delinquency?

Mr. RICHARDSON. That's correct. We have placed 85 percent of the youth in training programs or in job training, college, technical school, or reintegrated back into school. The attendance rate of youngsters placed back into the school has increased by 32 percent. Followup activity is also a very intricate part of our program, we found out that 82 percent of the youngsters who attended our program are utilizing that particular service.

A clear monetary assessment, because we are talking about how much it costs for New Pride versus incarcertation is as follows. It costs us $40 per day versus the city detention center which costs $1,100 for 10 days, which includes processing, court costs, detention——

Senator SPECTER. Per day?

Mr. RICHARDSON. For 10 days with other costs included.

Senator SPECTER. $1,000 per day per person?

Mr. RICHARDSON. No, for detention, and court costs, and processing. When you talk in terms of residential programs, you also have to talk in terms of the food, living arrangements. What we are talking about is in terms of service. At a cost of $40 for New Pride per student per day.

Senator SPECTER. Would you double-check those after the hearing is over and let us know if those are accurate?

Mr. RICHARDSON. Yes, sir. In terms of a breakdown and what we are advocating here to you is that by offering the same type of services that the residential programs offer, is that we can save money and do the same type of a job that an institutional placement can accomplish. Our figures here are based upon a very positive kind of interaction among staff with the children who attend our program.

I would like to close with my recommendation to advocate for continuing community based program for youth, the reason being incarcerated youthful offenders have difficulties in their transition from the institutional program back to the community in the sense that there is a very high rearrest figure. They also have difficulties obtaining adequate support services in the community. Research also has clearly indicated that remedial education is more effective when offered concurrently with work exposures or job readiness program. Community based programs for youthful offenders can adequately serve the target population in a more effective manner than residential setting due to their comprehensiveness of a holistic approach within the community.

Thank you.

Senator SPECTER. Thank you, Mr. Richardson. Now I'd like to turn to Mr. Robert Fisler, principal probation officer of the Camden County Probation Department.

STATEMENT OF ROBERT FISLER, PRINCIPAL PROBATION OFFICER OF THE CAMDEN COUNTY PROBATION DEPARTMENT

Mr. FISLER. Senator Specter, Congresswoman Fenwick, members of the panel, I would like to take this opportunity to thank the subcommittee for allowing me to address the issue of juvenile restitution as an alternative disposition in dealing with youthful offenders. Also I

would like to express appreciation to the Office of Juvenile Justice Delinquency Prevention who had the insight and the ability to provide the coordination and funding for a nationwide effort making juvenile restitution a national priority.

I believe that it is an appropriate way to break the cycle of juvenile delinquency alluded to by the Senator in his opening remarks.

The thrust of juvenile restitution is twofold, namely, it is to provide a method for victim compensation for losses incurred at the hands of juvenile offenders, but more importantly also to provide a vital tool in the rehabilitation process in working with juvenile offenders.

The first goal of victim satisfaction is geared to restoring, within the community, faith in the juvenile justice system which has eroded over the years. With the advent of juvenile restitution programs, these offenders are now held accountable for their actions, with the victims and the community playing an active role in this judicial process.

The second goal of rehabilitation, quite honestly, is more difficult to measure and more difficult to achieve. I think it's important to note, however, that delinquent behavior has numerous and complex causes, and to seek a simplistic answer to a problem that transcends familial, economic, sociological, and psychological roots could be disastrous and an exercise in futility. The concept of restitution is but a single component of the rehabilitative package that must be addressed by the court in every case brought before it. There is a believe, however, that restitution provides the vehicle for a youthful offender to "right a wrong" which is inherent in human nature.

Both of the goals I have talked about are obtainable through the use of juvenile restitution regardless of what form we choose; whether it be monetary restitution, whereby the victim is compensated for their dollar loss; whether it be direct service to the victim where an offender who commits an offense against a victim, would work for that victim for a specified period of time; or community service, when financial restitution is inappropriate and the victim wants no contact with the offender, the youth is assigned to work with a community agency or organization for a specified period of time to symbolically repay for the damages that they have caused.

During the 5 years our program has been in operation, we have seen numerous benefits accrue to offenders, victims, and the community. For offenders, we look at the fact that most sanctions imposed by the courts at juvenile hearings do not allow juveniles the opportunity to be held acountable in a positive way for their action. At the moment of disposition each youth receives a clear message of the consequences of their acts. For the first time a method is devised where a great number of youths achieve success and achieve positive reinforcement back from their community.

In fact several of our young poeple who have been placed in community service have ultimately been hired by that agency as a paid staff person.

Victims have also been the benefactors of the juvenile restitution program. They now have an opportunity to participate in the court process, satisfaction of seeing a positive response from the offender and the system itself.

Since January of 1979 the Camden County juvenile restitution program has collected in excess of $35,000 on behalf of the victims of

juvenile crime. Heretofore, the community has received no benefits from the juvenile justice system.

Senator SPECTER. $35,000?

Mr. FISLER. $35,000; yes.

Senator SPECTER. Is that in cash?

Mr. FISLER. That was in cash.

Senator SPECTER. From the defendants, from the juveniles?

Mr. FISLER. Yes, sir.

Senator SPECTER. How many juveniles put up $35,000?

Mr. FISLER. I do not have an accurate figure as to the number who paid.

Senator SPECTER. Was there an order entered in the court proceedings that they should put up money?

Mr. FISLER. In each of these the court ordered it as a condition of their probationary sentence that they pay restitution, yes, sir.

Senator SPECTER. And where did they get the money?

Mr. FISLER. Well, for the most part, the offenders we are talking about now as far as monetary restitution are 16, 17, or early 18 years of age. These youngsters either had employment or through the network system, such as working with the juvenile resource center or local CETA sponsors local employment was obtained for these youngsters and portions of their paycheck were appropriated for this restitution.

Senator SPECTER. About how much a week?

Mr. FISLER. I guess you would have to break that down. Right now we are collecting in excess of $1,700 a month.

Senator SPECTER. Without taking time now because we have others and I want to defer to Ms. Fenwick a moment, if you would provide us with a breakdown of the $35,000 as to how many youngsters were involved in that and how much each gave and what their earnings were and how much of their earnings they could afford to pay. That's a substantial sum of money that I would like to have the details. Obviously, they are not wealthy individuals. That came with nickles and dimes and I would like to have the details of that.

Mr. FISLER. Sure.

[The requested information follows:]

Total number of youth paying the $35,000 was 603. There is no available information as to their weekly earnings or percentage of earning applied to their restitution. Suffice it to say that payments were generally in small amounts, $5–$15, with total amount of restitution owed averaging $150–$250.

Senator SPECTER. Do you have further testimony?

Mr. FISLER. Just short.

Senator SPECTER. Go ahead.

Mr. FISLER. As far as the community receiving benefits, during that same period of time in Camden County, juveniles completed 17,224 hours of unpaid community service. Applying the minimum wage, this totals in excess of $57,000 in labor provided to communities and private agencies on projects that may not have otherwise been completed or would have been an additional burden to the taxpayer.

As two examples I have very brief case studies of two youngsters who have come through the system. They are two very different youngsters in that one was a first offender. It shows where the juvenile restitution project when applied to a first offender is a vehicle for deterrent

to future behavior. This was a 16-year-old female who was charged with a theft and a burglary. It was her first offense. She received as her disposition order to complete 20 hours community work in addition to paying restitution of $132. She completed the work herself. Her parents, in this situation, paid the restitution at the time that she was so ordered. She did, however, while on probation maintain employment and paid her parents back on a regular basis, graduated from high school and this fall will be entering college.

The second individual is a youngster, 17-year-old male, who had a short juvenile record for breaking, entering and larcency, committed serious malicious damage by slashing tires of 26 different automobiles. Although it was not a violent crime against an individual, it was one that so antanogized the community and the victims that the youngster was on the verge of incarceration. Restitution was ordered as an alternative. He was ordered to pay $825 restitution to the victims. The probation officer referred him to the CETA summer program where we worked for a local school district. Upon termination of his CETA employment, the local school district picked him up as a paid employee. paid restitution, he is still working for the school district and was terminated from probation in less than 1 year's time.

In wrapping up, I would like to again thank the committee for giving me this opportunity. I'd be glad to answer any questions that you would have.

[The prepared statement of Mr. Fisler follows:]

Prepared Statement of Robert Fisler

I would like to take this opportunity to thank the members of the Subcommittee on Juvenile Justice for providing the opportunity to address the issue of Juvenile Restitution as a dispositional alternative for delinquent youth. Appreciation is also expressed to the Office of Juvenile Justice Delinquency Prevention (OJJDP) for providing the coordination and funding to make juvenile restitution a national priority in the rehabilitative process of working with juvenile offenders.

For the past five (5) years, the Camden County Juvenile Court and Probation Department have operated a juvenile restitution program, with federal assistance for the years 1978-1981. The thrust of our program has been two-fold, namely to provide a method for victim compensation for losses incurred at the hands of juvenile offenders, but more importantly to provide a vital tool in the rehabilitation process.

The first goal of victim satisfaction is geared toward restoring within the community, faith in the juvenile justice system which had eroded over the years. An idea born out of personal contact and frustration with that system which was nurtured by the media (local and national) as the "lenient and slap on the wrist" philosophy of the juvenile justice system. With the advent of juvenile restitution programs, these offenders are now held accountable for their actions, with the victims and the community playing an active role in the judicial process. The courts have an additional alternative when disposing of juvenile delinquency complaints; but more importantly, a dispositional alternative that works in restoring confidence of victims and communities that the system is protecting them. I will elaborate on this later in my statement.

The second goal, that of rehabilitation, is more difficult to measure. Studies to date are inconclusive as to the actual reduction in recidivism of participants in the program. A national evaluation was conducted as part of the restitution project founded by OJJDP and the results are available from that agency. It is important to note, that delinquent behavior has numerous and complex causes and to seek a simplistic answer to a problem that transcends familial, economic, sociological and psychological roots could be disasterous

and an exercise in futility. The concept of restitution is but a single component of the rehabilitative package which must be addressed by the court in every case. There is a belief, however, that restitution provides the vehicle for a youthful offender to "right a wrong" which is inherent in human nature.

In Camden County, our restitution program involves three forms:

1. Monetary Payment - Generally speaking, all victims desire financial reimbursement for their losses. This form of restitution involves the youth forfeiting a portion of their personal savings or earnings until the victim is compensated for their loss.

2. Direct Service to Victim - When the nature of the offense dictates (damaged property, etc.), the victim agrees and financial restitution is inappropriate (due to age or in ability to pay), the offender may be ordered to work for the victim to repair or restore the damaged property.

3. Community Service - When financial restitution is inappropriate and the victim does not wish to have contact with the offender, the youth is ordered to work with a community agency or organization for a specified period of time to symbolically repay for any losses incurred. Often, in the interest of prevention and ultimately protection of the community, perpetrators of victimless crimes are ordered to perform a specified number of community service hours.

During the five years our program has been in operation, we have seen numerous benefits accrue to the offenders, the victims, the community, and the juvenile justice system itself. Most sanctions imposed by the courts do not allow juveniles the opportunity to be held accountable in a positive way for their actions. Not only do juveniles generally view these dispostions as fair, but when properly implemented, restitution programs offer juveniles a myriad of opportunities to meet personal needs which may ultimately prevent further

acts of delinquency. At the moment of disposition the youth receives a clear message of the consequences for the delinquent actions. For the first time, a method is devised where a great number of youths achieve success and receive positive reinforcement back from their communities. Several of our young people, upon having completed their community service, have been hired by their placement agency in a paid staff position.

Victims have also been the benefactors of the juvenile restitution program. Through appropriate implementation, the victim has an opportunity to participate in the court process and give them the satisfaction of seeing a positive response from the offender and the system. For the first time, the victim is made an integral part of the juvenile justice system. Since January of 1979, the Camden County Juvenile Restitution Program has collected a total of $35,129.76 on behalf of victims of juvenile crime.

Heretofore, the community has received no benefits from the juvenile justice system, but rather has been suspicious and extremely critical of the failures of the system which permeate the media. Success stories rarely receive attention and staffs of the court, as well as probation departments, are criticized for this perceived lack of performance.

Juvenile restitution provides a positive response to those critics in the community. It is a common-sense, highly observable, measurable response to delinquent behavior. While communities participate in the solution of the dilemma of juvenile crime, they are the direct recipient of benefits through the use of community service work hours. During the same period, January of 1979 to July of 1982, juveniles in Camden County completed 17,224 hours of unpaid community service. At the minimum rate of $3.35 per hour, this totals $57,702 in labor provided to the communities and agencies participating in the project. Often the work done is in a project that otherwise may not have been completed or would have been an additional burden to the taxpayer.

The system as a whole is the final benefactor of the juvenile restitution program. The court is able to better address the pressures of the community for more meaningful dispositions, while at the same time, formulating a plan to

rehabilitate the juvenile offenders. Probation officers supervising restitution cases find that through the use of restitution sanctions, probation becomes a more meaningful dispositional alternative to the traditional weekly reporting and referral method. These officers can now respond to pressures of the community to "do something" with their cases. True accountability in these cases where results are easily measured in an objective fashion thwarts feelings of helplessness and the "burnout syndrome" often associated with the field. In addition probation staff find it refreshing to deal with victims and other members of the community who are quite appreciative of any assistance given them.

The juvenile justice system has benefited in another important area as a result of the implementation of the juvenile restitution program. Through this vehicle we have, for the first time, been able to facilitate the total coordination of courts, probation, juvenile police, school systems, federal agencies (CETA), and other community based organizations within a single comprehensive network to deal with juvenile offenders. Our most successful community service worksites are in juvenile detective bureaus and one of our largest school districts. Local prime sponsors of our CETA program have provided summer jobs for youths owing monetary restitution. Community-based private non-profit agencies such as the Juvenile Resource Center have provided job readiness skills, vocational training, and job placement to offenders which not only enables the youth to pay restitution but deals directly with the bigger issue of unemployment as a causal factor in juvenile delinquency. Lines of communication are now open that never existed prior to the program. The ultimate beneficiary to that is the juvenile and the communities because a united approach in working with juvenile offenders and their families is the most effective and efficient.

My feeling about juvenile restitution are quite enthusiastic at the present time. Through the encouragement and guidance of OJJDP, numerous programs have been funded throughout the country and a national organization has been established, The National Juvenile Restitution Association.

During the past year, our program had two goals, namely to absorb the specialized juvenile restitution unit into the existing juvenile probation

division, thereby institutionalizing the program upon the cessation of federal participation; and second to strengthen the community service component of the project to prevent any backlog of youths awaiting worksites and to allow juvenile offenders to work their ordered hours as close to the actual offense as possible. I am proud to report that thanks to the support of our County Board of Freeholders, Robert W. Page, the Presiding Judge of the Juvenile and Domestic Relations Court and Kenneth E. Spaar, our Chief Probation Officer, we have achieved both of these goals.

However, in spite of these successes, there remains several issues and disappointments which will be adressed in the next year. While these problems involve primarily local programming, much assistance and guidance must come from the federal level.

One of our first priorities in 1983 will be to establish an evaluation mechanism to measure recidivism of juveniles involved in our project. The statistics available in this area are limited at best and will become a prime target for study in the future. Our statistics with regards to hours worked and money paid are complete and accurate, however, they address only the goals of victim compensation and community benefit. The issue of offender rehabilitation must be addressed. While this is primarily a local responsibility, technical assistance could be forthcoming from OJJDP by drawing from their experience with the national evaluators for the restitution program. Evaluations are a difficult and often cumbersome project and the expertise, guidance and coordination from OJJDP would prove invaluable.

In addition to focusing our attention on recidivism at the probation level, it will become a priority to evaluate the use of community service orders as a deterrent or rehabilitative tool for first time minor offenders, especially at the station house or informal conference level. It is our belief that community service has a high rate of impact on these offenders, where as, multiple offenders are more affected by imposition of monetary restitution. A brief survey of one of our most successful worksites, Gloucester City Police Department, revealed that out of 300 youths completing the program, only 50 became reinvolved in

juvenile delinquent behavior (a recidivism rate of only 16.6%). On probation caseloads, however, the recidivism rate of community service cases is over 50%. Compared to the recidivism rate of monetary restitution cases of approximately 40%.

A second area for improvement will be to increase the number of offenders who are able to pay monetary restitution. While our collections totalled more than $35,000 for the past 31 months, this figure represented an average of only 43% payment on the total amount of restitution accrued. While we fully expect that there will be a certain number of offenders who will fail to pay restitution, regardless of what opportunities exist, there would be a significant increase in monetary collections if we can implement two projects in the coming year.

The first will be to encourage private industry to play a greater role in the restitution process by guaranteeing a specific number of hours of work for participants in the project with a specified portion and the juvenile's paycheck being applied to the restitution. Upon payment of their restitution, the slot would be given to another participant, and continued employment of the prior offender would be at the discretion of the employer. Again, this is the responsibility of the local programs. However, federal assistance could be beneficial through continued use of "Targeted Tax Credits" for employers who provide these slots for youthful offenders. In addition continuation or expansion of CETA programming, with special emphasis on employment for youthful offenders, will not only increase restitution payments but will assist in the overall rehabilitation process.

The second method for increasing the ability of juveniles to pay restitution is through the establishment of small businesses aimed at employing juvenile offenders who owe money. Again, through innovative local programming and efforts at coordination this will occur, however, assistance from the federal level is quite vital in this area. Private agencies such as the Juvenile Resource Center must continue to be able to develop such businesses with grants from the Department of Labor or through increased CETA funding to enable these agencies to further develop vocational and job placement programs for juvenile offenders.

Finally, the next year will be critical, not only in Camden County, but throughout the state, that probation departments be equipped to deal with larger caseloads which will involve more serious offenders. As evidenced by the situation of overcrowding in the state institutions and the recent budget cutting measures which have resulted in the anticipated closing of several of our more successful alternatives to incarceration, our officers will be called upon to develop meaningful plans of supervision which will not only hold these youths accountable for their acts, protect the community, and provide a method for rehabilitation. Juvenile restitution will undoubtedly become a cornerstone for implementing this anticipated task.

Senator SPECTER. Ms. Horton, before starting the questions. perhaps this would be a good time to have Mr. Dubois who you referred to earlier and Ms. Crawley share with us their experiences.

Ms. HORTON. Nathaniel Dubois, who is just graduating from the Juvenile Resource Center Alternative School, will be reentering the public high school, Woodrow Wilson High School this September. I will allow Nate to make a few statements about this prior activities before coming to our program and I am sure also Tanya can make a statement regarding her prior activities and answer any questions that you may have, Senator, or Congresswomen Fenwick may have.

Senator SPECTER. How old are you, Mr. Dubois?

STATEMENT OF NATHANIEL DUBOIS, GRADUATE FROM THE JUVENILE RESOURCE CENTER ALTERNATIVE SCHOOL

Mr. DUBOIS. Sixteen.

Senator SPECTER. Have you been in trouble before coming to the program?

Mr. DUBOIS. Yes.

Senator SPECTER. Would you care to describe it briefly for us?

Mr. DUBOIS. I wasn't going to school, I had a robbery charge and I had a violation of probation.

Senator SPECTER. One charge?

Mr. DUBOIS. What?

Senator SPECTER. One charge?

Mr. DUBOIS. No, all three different ones.

Senator SPECTER. One robbery charge.

Mr. DUBOIS. Yes.

Senator SPECTER. And how has the program helped you, if it has, or you wouldn't be here if it hadn't. How has it helped you?

Mr. DUBOIS. It helped me as far as going to school, learning different things as far as jobs and different things that I could do.

Senator SPECTER. How has your family life been after you have been a part of this project?

Mr. DUBOIS. Perfect. They have been like my family.

Senator SPECTER. How about your real family?

Mr. DUBOIS. Yes, that too.

Senator SPECTER. You live at home, of course.

Mr. DUBOIS. Yes.

Senator SPECTER. You live with your mother and father.

Mr. DUBOIS. No, just my mother.

Senator SPECTER. How old were you when you got into trouble?

Mr. DUBOIS. Fourteen.

Senator SPECTER. What led you to get into trouble?

Mr. DUBOIS. I don't know. I can't answer that.

Senator SPECTER. But you think you are on the right road now?

Mr. DUBOIS. Yes.

Senator SPECTER. Are you pursuing your educational programs now?

Mr. DUBOIS. Yes.

Senator SPECTER. Are you studying for a school, training to enable you to hold a job?

Mr. DUBOIS. Yes.

Senator SPECTER. What job do you intend to hold?
Mr. DUBOIS. A job.
Senator SPECTER. What job do you aspire to? Congressman?
Mr. DUBOIS. No.
Senator SPECTER. What would you like to be?
Mr. DUBOIS. What would I like to be? Math teacher.
Senator SPECTER. Math teacher?
Mr. DUBOIS. Yes.
Senator SPECTER. That's better than Congressman. How about you, Tanya? Tell us a little about yourself.

STATEMENT OF TANYA CRAWLEY PARTICIPANT IN OIC'S NEW PRIDE PROJECT

Ms. CRAWLEY. I am 16. I attend project New Pride. After I graduate from OIC, I am going back to school.
Senator SPECTER. Had you been in trouble with the law?
Ms. CRAWLEY. Yes.
Senator SPECTER. Had you been adjudicated a delinquent?
Ms. CRAWLEY. Yes.
Senator SPECTER. May I ask you for what reason?
Ms. CRAWLEY. Three different charges, attempted murder.
Senator SPECTER. Attempted murder?
Ms. CRAWLEY. Yes.
Senator SPECTER. What were the other charges?
Ms. CRAWLEY. They was just simple ones.
Senator SPECTER. Just simple ones, you say?
Ms. CRAWLEY. Yes. Well,I really don't, you know, remember what.
Senator SPECTER. We don't intend to press you. Only for what you want to share with us.
Ms. CRAWLEY. OK.
Senator SPECTER. We understand that in discussing any matters of that sort, it's a matter that's sensitive and to the extent you don't want to, we respect your privacy on that.
What have you taken up at OIC?
Ms. CRAWLEY. Well, I am in project New Pride so I am just going to classes and going to job programs. I work at a CETA nursing home on Mondays, Wednesdays and Fridays and afterwards I plan on going to Rex Electronic School.
Senator SPECTER. What kind of school?
Ms. CRAWLEY. I am planning on going to Rex Electronics School.
Senator SPECTER. That will be a good combination for modeling.
Ms. CRAWLEY. Not really. Modeling is a field—I have been doing that for a long time and that's not everything. You can't, depending on looking for a job or anything, you have to go get another job besides modeling and I feel as though if I want to be a computer technician or doing engineering and electronics, that's what I am going to go for.
Senator SPECTER. That's very ambitious. I commend you on it.
Ms. Fenwick, questions?
Ms. FENWICK. Absolutely right. I tried modeling; it was many years ago. I needed money and I thought modeling would be great but I had to get another job. You're absolutely right. Don't depend on it. Just

do it when you can and get something else under your belt. You are absolutely right and I think electronics sounds wonderful.

But I would like to ask both of you, what do you think started all this? Was it because you heard other people talking about how you could get money so early by robbing or something? Was it other people making it sound kind of interesting and exciting? What got you moved in that direction? In other words, was it what you read about, what you saw on TV? You see what I mean.

Ms. CRAWLEY. I understand what you are saying. My point is when I got locked up, I was going through a lot of changes. I was under pressure and everything of death in my family and that's just brought me in a different way. I never was, you know, the type that, while I am no goodie-goodie or anything like that, but as far as seeing myself get locked up, I never thought that would happen to me. Then it just did and I have to deal with it.

Mrs. FENWICK. Well, I am sorry that you are not a goodie-goodie. I think that would be more restful. You know what I mean. But I wondered what pushes you over that step. Is it hearing about it? Is it because you hope for something out of it? Is it because you think that the other doors are closed to you? What is it that makes you do that?

Senator SPECTER. Nate, why did you get involved in the robbery?

Mrs. FENWICK. Yes.

Mr. DUBOIS. My friends.

Senator SPECTER. Peer pressure? Tanya, how about you, was it peer pressure?

Ms. CRAWLEY. I never got charged with robbery. My cases, it was, well, I don't really know how to put it, but maybe because of a family member, someone I was close to and I thought it was the right thing to do at the time.

Mrs. FENWICK. Different reasons, different people.

Ms. HORTON. Yes.

Mrs. FENWICK. When I worked in Newark my secretary lived in the Central Ward. Four times her TV had been stolen and I tell you she wanted her TV back and she didn't care who went to Annandale or anywhere else, if you know what I mean.

Apart from the fact that it's some satisfaction to somebody who has been robbed, she had two little children that meant everything to have a TV. She had saved up. Well, I thought also it's very important for what the police call the perpetrator to be faced with somebody that they have hurt, to be faced with that mother who had saved up for the TV set for the children or the little drugstore that lost its cash drawer. It's good for them, for the people who have done something to see the people they have hurt and not to have some nameless adventure that never came up against another human being. I support your idea of restitution. It really seems to me, applied to the right people, at the right time by a judge like Judge Page, we would really make some ground, some headway.

Thank you, Senator.

Senator SPECTER. Thank you Mrs. Fenwick. Thank you you ladies and gentlemen. I very much appreciate your being here.

We would now like to turn to our final witness, Mr. Thomas Lynch, assistance commissioner, Department of Corrections, State of New

Jersey. Welcome, Mr. Lynch. We appreciate your being with us and look forward to your testimony.

STATEMENT OF THOMAS LYNCH, ASSISTANT COMMISSIONER, DEPARTMENT OF CORRECTIONS, STATE OF NEW JERSEY

Mr. LYNCH. I have a statement which I submitted already.

Senator SPECTER. Thank you very much for doing that. It will be made a part of the record in full and we would appreciate if you would summarize it, leaving the maximum amount of time for questions.

Mr. LYNCH. I think I'd like to start by trying to answer your questions, Congresswoman Fenwick. Why don't we use cheaper means of treating kids?

Mrs. FENWICK. Yes.

Mr. LYNCH. I would like to state right here that over the last 3 years, going on 4, that's exactly what we have been trying to do. We have been trying to eliminate large training schools such as Jamesburg. I met you a long time ago at the Bordentown Reformatory. I worked there as a student in between my first and second years of graduate training in social work for the summer. I remember leaving that place and saying to myself, "I will never, ever get back into a place like this again." But strange things do happen and I had the opportunity to work at Yardville which was a completely different operation. Eventually I became the superintendent of that facility and was put in charge of the separation of juveniles from adult offenders which was funded largely by funds from the office of juvenile justice and delinquency prevention 1974. The money was well spent.

When I started, there were 400 juveniles who were mixed with adult offenders in Yardville and some at Bordentown. Through that funding we were able to take those kids and develop alternate programs for them so that as of now we have no young juvenile offenders in those adult facilities except for a small number at Yardville in a separate program completely. We have been able to develop alternate programs but I am still the recipient of many of the failures of the Social Service System. They are doing a wonderful job and I applaud them for that, but even with the juvenile justice and delinquency prevention funds, the numbers of kids entering our system is increasing. I started off with 750. I now have over 1,000. I have 100 at last count last week who we don't even have room for. They are in detention centers. Some of them are sleeping on mattresses in gyms. There is no room for them. This is—on top of the law that was just passed and signed by the Governor developing a new juvenile code which is supposedly from some advocacy group's perspective going to increase the number of kids serviced by us.

Senator SPECTER. What will the results be? Where will you put the juveniles?

Mr. LYNCH. I have no answer for that. I can't believe that we are going to close 25 percent of my bed space as Judge Page alluded to in the beginning even before we get into the new juvenile code. The legislature and the Governor and the State have decided that this is the course of action they wish to follow. They must then be respon-

sible enough to provide the resources to our agency to be able to cope with them.

Senator SPECTER. What categories of offense will provide more incarcerated juveniles than under the current system?

Mr. LYNCH. Well, we have everything, except we don't have——

Senator SPECTER. What are the changes in the law, Mr. Lynch?

Mr. LYNCH. OK. The changes in the law, first of all there will be, an easier, method to waive a case to adult court and I think that will have the biggest significance.

Senator SPECTER. And they will be waived into adult court under what circumstances?

Mr. LYNCH. Certain offenses will be waivable which right now are very difficult to waive in New Jersey——

Senator SPECTER. How about——

Mr. LYNCH. Maybe I didn't understand your question.

Senator SPECTER. We are getting there. How about the issue of repeat shoplifting? That will constitute a waivable matter?

Mr. LYNCH. No, that will not.

Senator SPECTER. What does——

Mr. LYNCH. Excuse me. It's possible that repetitive shoplifting will be waivable but it's unlikely as of now a couple of categories of offenses are waivable. The new law has opened that to other types of offenses.

Senator SPECTER. Now the juvenile is in the juvenile system if he is under 18, right?

Mr. LYNCH. Not necessarily. If he commits a crime before he turns 18. We have kids over 21 in some cases and—for example, at Yardville——

Senator SPECTER. That's because they were adjudicated delinquents prior to the time that they were 18?

Mr. LYNCH. That's right.

Senator SPECTER. But if someone is charged with an offense on their 18th birthday or older——

Mr. LYNCH. Then they are automatically an adult.

Senator SPECTER. In the adult system.

Mr. LYNCH. That's right.

Senator SPECTER. Does the new law change the age for a juvenile offender?

Mr. LYNCH. No, it does not.

Senator SPECTER. Under the current law, when is a juvenile waivable into the adult system?

Mr. LYNCH. Under the present law and under the new law the age is 14 but the circumstances by which a kid can be waived is greatly loosened by the new law.

Senator SPECTER. In what way?

Mr. LYNCH. OK. Presently you can't waive a kid unless he commits a serious crime against a person and it's incumbent upon the prosecutor to prove that that youngster is not rehabilitatible by the time he is 21, which is a very stiff criteria to prove. The new law, however, increases the number of kids who are waivable under other kinds of delinquent activities.

Senator SPECTER. Such as?

Mr. LYNCH. Repetitive kinds of offenses that are not of necessarily an assaultive nature.

Senator SPECTER. Such as what?

Mr. LYNCH. Breaking and entering, it's repetitive, his history indicates that, he's been in trouble before, that kind of thing.

Senator SPECTER. But your estimate is that under the new law there will be many more juveniles to be incarcerated?

Mr. LYNCH. I am not going to take that position. I haven't all along because there are other parts of the law which may in effect offset some of that and the intention of the law was to get to those kids that truly deserve to be incarcerated.

Senator SPECTER. Then you are saying you may not be faced with a situation where you will have an increased number of those who have to be incarcerated?

Mr. LYNCH. Well, I don't want to hedge your question but let's put it this way: From my own experience I have seen numerous kids who have come into our system because there is no other alternative for them out there.

Senator SPECTER. Mr. Lynch, you are the Department of Corrections. They have just passed a new law. Somebody has to make a judgment as to whether the new law is going to result in more juveniles being incarcerated. Who better than you to make an evaluation?

Mr. LYNCH. I think I am the best person to make that evaluation. I think I am giving you the best answer.

Senator SPECTER. I haven't heard an answer yet. More or not more?

Mr. LYNCH. More, I would suspect more. Bottom line, I believe, there will be more.

Senator SPECTER. If you don't have any room now where are you going to put them?

Mr. LYNCH. Well, I have been told that the legislature will come up with the money to do this and I was part of the committee that worked on the legislation.

Senator SPECTER. Expect an increase in administrations for facilities to house juveniles?

Mr. LYNCH. That's correct. It has to be.

Senator SPECTER. It takes some time to build those, doesn't it?

Mr. LYNCH. I don't think necessarily we should build them.

Senator SPECTER. What's the alternative?

Mr. LYNCH. I don't believe we have to build large training schools because I don't think they answer anything.

Senator SPECTER. What is the alternative?

Mr. LYNCH. The alternative is this: The alternative is to develop programs where kids can be responsibly supervised and controlled and, in fact, deterred from committing further types of antisocial behavior. I don't think the public is asking that we put kids on devil's island. I think the public is saying I am tired of kids out of control.

Senator SPECTER. Where are you going to put them to accomplish those objectives without building new facilities?

Mr. LYNCH. I will give you an illustration. We had 40, 50 kids at Annandale. You know where Annandale is? It is part of the adult correctional system. My commissioner is primarily and has to be primarily concerned with the problems in the adult's system because there are 1,400 people waiting in county facilities to come into

our system as opposed to 100 in my system. So he suggested to me that we needed the bed space at Annandale and he was going to provide me with eight trailers to put at Jamesburg. I said, "Commissioner, don't do that, please, don't do it. Let us try to find an alternative."

We looked all over the State to find a place where we could put trailers other than Jamesburg. We were looking in State parks mainly. We have had a lot of experience with doing this. We couldn't find a place that you could set up sewage and electricity and what have you, but we did find an old abandoned hunter's lodge, four walls and a roof. So we said instead of taking that money and putting it into trailers that kids will destroy in no time at all, let's take the money and let's get kids under appropriate supervision to learn the trade of building it themselves. We are now doing that and I hope by the end of September it will be available for 30 kids who normally would go to Jamesburg.

We did the same thing at Ringwood State Park.

Senator SPECTER. What has your experience been with respect to the adequacy of the security arrangements there?

Mr. LYNCH. Well, security is not the problem. I think we all look to——

Senator SPECTER. They do not run off?

Mr. LYNCH. They do not run off. If they do, they go directly home but it doesn't occur that often and the reason they don't run off is because there is a program there. They are going to get something from that program. At Ringwood we took over a program from Cooper Union College in New York, which was purchased by Green Acres funds. The Department of Environmental Protection gave us the land and an old building. I went to the State bureaucrats who handle renovations and those kind of things. I am a bureaucrat too but I guess am not as bad as some.

Senator SPECTER. I am sorry, I didn't hear that.

Mr. LYNCH. I am not as bad as some. They told me it was going to cost $250,000 to put that building in shape for kids. I said I don't want to pay $250,000 to do that. I wouldn't pay that much if it were my home. So I said, I don't want to do it. I just closed the issue with them and I sent the kids up there, anyway, and they did it themselves. It didn't cost us anything. The kids did it out of the operating budget of the program. The kids developed an outward bound course on their own across a lake. Kids go across this lake now as part of learning about themselves. Four hundred kids from other parts of our system have gone there and experienced this and it didn't cost us anything.

Money is not the issue. A different attitude is the issue—a different attitude toward treating kids. You have got to treat them as if you cared about them enough to hold them if they are doing something wrong, and not to say, "Oh, it's too bad that you came from a bad neighborhood, it's too bad that you came from a poor background." That's not going to help them. What's going to help them is making them feel capable that they can do something and I believe that we have an answer for that and have had for a long time. Alpha House is an example. The girls at Alpha House here in Camden, live in an old convent. They are working with inner-city kids themselves. They

are working with Father Doyle's program down there, working with old people.

The kids at the Camden Community Center in Camden fix neighborhood houses. In Trenton, we sent kids out of Yardville when I was there and they renovated 6 to 10 houses that were completely and totally abandoned. It was like post war Berlin. Those houses were completely refurbished under trained supervision, labor supervision. They are now back on the tax rolls. The inmates did that.

Be careful, however, of mandates which you mentioned earlier. Don't mandate certain things because bureaucrats can go wild with that sort of thing. Don't mandate to a State, "Hey, you don't ever incarcerate a juvenile with an adult." Maybe you should incarcerate certain juveniles with adults.

Senator SPECTER. Why?

Mr. LYNCH. Why? I get kids up to the age of 18. Some of those kids should not have been treated as juveniles but they have been. So they are with me. They wreak havoc in certain parts of our system with the other inmates. They perpetrate all kinds of nonsense on them.

Senator SPECTER. You mean some of them, by the time they are still in their teens, can't learn anymore tricks from the adults?

Mr. LYNCH. They can teach the adults some good tricks.

Senator SPECTER. Segregation would be useful to save the adults?

Mr. LYNCH. That's right, exactly. I will tell you something else. A bureaucrat can go crazy with that because unfortunately they look at the letter of the law. I was told by O.J.J.D.P. that we were out of compliance with separation because we had trained paraprofessionals, college educated in certain instances, who are better able to cope with some of these kids coming into the system than people who have experienced the system. We were told we were out of compliance with the law. The law in this instance is crazy. The law should not have done that.

Senator SPECTER. Do you have any questions for Mr. Lynch about the bureaucrats, Mrs. Fenwick?

Mrs. FENWICK. No, but I have something to say about this attitude.

On the floor of the House the other day, I spoke about our new Hawkins/Jeffords bill for employment and what I particularly liked about it was that it incorporated that whole attitude of Rev. Leon Sullivan's approach to training, just what you said. You have got to love them enough to care about them and to yearn over their difficulties. You have got to respect them enough to have high standards for them and isn't it true——

Ms. HORTON. Yes.

Mr. LYNCH. I brought this along. I just brought some clipping of pictures of what the kids have done. I think after the meeting, it's only a couple of pages, it will give you a good picture of what kids are capable of.

Senator SPECTER. Let us see them now.

Mr. LYNCH. This project was——

Senator SPECTER. There is no reason why the important part can't be a part of the hearing.

Mrs. FENWICK. Very interesting to hear you talk.

Mr. LYNCH. Here is a project we started in Ocean County. It's an abandoned village of historical significance. This house was there.

The historical society, local CETA, our division, the court and probation altogether said, why don't we do something to keep these kids out of the system? What we did was, we sent them there on a daily basis to get them to putting the house back in shape.

This is what it looked like before. They took it from stem to stern meeting the strict requirements of historical society demands. They did the whole thing. You can see they took the house—I thought it was going to fall down. This brace right here kept it from falling down. These kids would have come to Jamesburg. Some of them did, but very few of them. We decided which ones did and that's the problem. Other people deciding for us, you know.

Mrs. FENWICK. Yes, I know.

Mr. LYNCH. These kids did all this.

Senator SPECTER. How many juveniles worked on it?

Mr. LYNCH. Fifty, sixty. A girl put this up.

Mrs. FENWICK. There you are.

Mr. LYNCH. This is what it looked like inside.

Senator SPECTER. Did any men contribute to any of this firewood?

Mr. LYNCH. Yes.

Mrs. FENWICK. A woman did the chimney.

Mr. LYNCH. The facility now becomes a recreational site for the State. That saved us a hell of a lot of money.

This is another one. This facility in the Wharton Tract is a hell of a lot better than trailers.

Mrs. FENWICK. Yes.

Mr. LYNCH. The more kids you put on some of these type training programs, the better the chance for salvaging some young lives.

Senator SPECTER. I don't see pictures of any women in here. Where are they?

Mrs. FENWICK. I don't know.

Senator SPECTER. Mr. Lynch, thank you very much. These pictures are a good place to conclude our hearings.

[The prepared statement of Mr. Lynch follows:]

PREPARED STATEMENT OF THOMAS F. LYNCH, JR.

Senator Arlen Specter, Chairman and members of the Subcommittee:

Thank you for the opportunity to appear before the Committee. Unfortunately, Commissioner Fauver is unable to appear personally due to the critical problems imposed by New Jersey's Adult Prison System. This hearing is especially timely, given the critical Fiscal situation in New Jersey. As a result, 25% of the available beds within our Division will be eliminated by January 1st, if additional resources are not made available. This does not even begin to address the impact any Federal cutback may have on us, as well as other Youth Serving agencies. Our plight becomes even more critical, since New Jersey has just embarked on a new era of Juvenile Justice through the enactment of the new Juvenile Justice Reform Act which is scheduled to become effective September 1, 1983. Many advocacy groups claim this will add additional youngsters to our system which is already direly in need of additional resources.

The Division of Juvenile Services was established by Commissioner Fauver in 1978 in response to the New Jersey State Legislative mandate to provide the best services available to juveniles committed to the Department of Corrections, which group had long been the stepchild of the Correctional System. I was asked to head up this new Division, after serving as the coordinator for separation of juveniles from adult offenders during my tenure as the Superintendent of the Yardville Youth Reception and Correction Center

Much of the first two years were spent in establishing and coordinating various units through developing a viable organization, capable of meeting the demands placed on it by the growing numbers of boys and girls committed to the Department of Corrections. With a relatively small administrative staff, the Division has achieved a remarkable track record, in not only improving the existing facilities under its aegis, but also through the establishment of various alternatives, other than traditional incarceration. Through redeployment of resources and decentralizing to the local level, we were able to provide close-to-home

residential and non-residential services to youngsters who had traditionally been stepchildren, not only to the Department of Corrections, but to other child caring and social services agencies as well. (An attached list of these ventures is provided, as well as a brief explanation of some of our community services activities - I will be happy to discuss any of them with you.) We have been able to complete that separation, and the agency has been able to develop programs to service over one-third of its nearly 1,000 youngsters in resources other than through the practice of traditional incarceration in large facilities.

These gains are threatened by the public's demand for a "get tough" approach to what they view as youngsters and adults out of control. As more and more demands are placed on the adult system, the good intention for which we were established becomes almost impossible to fulfill. Ironically, the public's attitude comes in the wake of large amounts of funds having been expended to curb and prevent juvenile delinquency. Many of the programs emanating from the OJJDP Act of 1974 are admirable, and I can attest to the effective use of such funds within my own Agency, especially in accomplishing the separation of juveniles from adult offenders through positive programming. Over the last several years, however, we have witnessed an increase in the number of boys and girls entering our system. This may be related to the public pressure to incapacitate delinquent youngsters. It may also have resulted from a less than effective approach that some of the alternative programs may have taken. Some other alternatives, although effective, may not have dealt with the youngsters truly in danger of entering our system, but in fact may have served other client groups who would never have been at risk to correctional commitment.

I strongly support the use of alternative programs, both Community based and Residential, and at the same time I urge that a strong monitoring system be implemented to insure that the youngsters served by such alternatives, are in fact the youngsters who would have ultimately been committed to correctional facilities. I make this strong recommendation because I know by direct experience that many juvenile delinquents are being committed because there are not effective alternatives available to serve the juvenile court.

All too often, I have found that alternatives which do not have direct involvement with Public Juvenile Corrections Agencies such as ours, opt to serve easier client groups who are unlikely to become vulnerable to correctional handling. This provides, first, for the ineffective utilization of the scarce funds that might be available for the youngsters who are at risk, and for whom the Legislation was to impact, while placing increased burdens on correctional systems which must continue to receive these boys and girls who should have been diverted in the first place.

Unfortunately, too often, correctional agencies are viewed as insensitive, cohersive arms of the law who simply warehouse youngsters. Although there may be some semblance of truth to this nationally, New Jersey has always been an exception. Juvenile Corrections in New Jersey has had a long history of a progressive response dating back to the Highfields Program which has become a National and International prototype in alternative programming. We have taken a firm, but responsible approach which is geared to having youngsters conform to the norms and expectations of the society to which they will soon become a part, while at the same time giving them the opportunity to feel that they can become capable members of that society, through constructive activities and programs. We are not in a position to change society, but we are in a position to help youngsters more adequately deal with the reality of their sometimes chaotic worlds in more effective ways.

DIVISION ACHIEVEMENTS

1978 - 1981

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Youth Administrative Classification Unit (YACU) - February, 1977 nucleus management and supervision professional staff to initiate separation effort and classification of youths; also to provide various support services to all other juvenile programs and projects.

Stuyvesant Avenue - July, 1977, initial separation project for fifteen youths within inner city community residence; residential and program for probationers with minimum security.

Cottage #3 - September, 1977, serves forty male youth in minimal secure residential program, providing community release.

Transitional Project - January, 1978, provides aftercare network for the Southern Counties of youth being released from programs, projects and institutions; stresses work and school placements and alternative half-way living arrangements.

Medium Security Unit - March, 1978, maximum security type unit for 102 capacity male population who represent the most serious offenders and high security risks within the Juvenile Correctional System of committed youth; many are acting out, emotionally disturbed or difficult cases.

Cottage #12 - July, 1978, serves forty male youth screened for experimental college program, age sixteen - eighteen, who are released to community college for studies; stresses group and school programming.

Stokes Unit - July, 1978, for sixty committed youth from all counties, provides group, work and school for less serious to medium type of offenders.

Youth Administrative Unit - May, 1979, provided a special professional unit to assist in the reorganization of various institutions and programs for juvenile offenders throughout the State.

Female Units - June, 1979, provides ancillary professional service personnel to three juvenile units for female offenders; stresses school, counseling and social work activities previously not available.

Ocean - July, 1979, short term residential program for thirty youth committed for offenses of less serious nature, age fourteen - eighteen, and stressing work, school and group programming.

Planning Grant - July, 1979, provided support services to assist in the planning of and implementation of new programs for juvenile offenders.

Middlefields Project - July, 1979, provided residential services for male youths from Middlesex County within the Middlesex County, an alternative to incarceration at Jamesburg or Skillman.

YUVAN - December, 1979, special project within Ocean County which enlists support of the community and industry in providing on-the-job training in vocational areas for probationers from Ocean County.

MCOTES at Stuyvesant Avenue - February, 1980, provided work training program within inner-city Trenton to juveniles from the Stuyvesant Project in areas of home rehabilitation, insultation and maintenance for senior citizens and the poor.

Ringwood - April, 1980, residential program for thirty committed and probation youths between fourteen and eighteen, consists of work, school and group and accepts less serious offenders.

MERCER CSA - Summer Youth Recreation Program - April, 1980, allowed for various cultural enrichment activities for youth within all programs of the Division, prudent purchases of sports equipment and arts-crafts supplies to enrich cultural and social activities for youth.

Home Environment Learning Program (HELP) - July, 1980, accepts up to eight juvenile offenders who suffer from intellectural impairments and are retarded; live as a family within a structured home environment.

Folklore Project - October, 1980, provided a study of the youths at Jamesburg to measure their conceptualizations of the Institution prior to being placed at the Institution in an effort to address the problem of prior knowledge leading to incarceration as better than being on the street.

Manor Woods - February, 1981, provides group treatment services, work and school for up to thirty committed and probationer youths from the Atlantic County area.

Open Door Alcoholics Program - March, 1981, linkage program within New Brunswick for alcoholic juvenile offenders from Jamesburg which stresses alcohol therapy, AA counseling and community services.

Double Trouble - April, 1981, based within Ocean County, upward of twenty youths from Ocean County, providing work, school and counseling for selected pre-delinquents who are in danger of being committed.

MCOTFS - D & R Canal Project - April, 1981, project involving pre-delinquent youths from Mercer County who received work, school and counseling instead of commitment to institutional program; daytime program only.

Essexfields - June, 1981, community day program for up to twenty youngsters from Essex County and Newark who are in danger of being committed; relies on local community and CETA support in vocational training component while stressing school and group counseling.

Hudson County Alternative at Liberty Park - June, 1981, cooperative venture day program for Hudson County youth in danger of being committed, provides work, school and group type of programming.

Optics Program - June, 1981, vocational training program in optical crafts established at Jamesburg Training School as a vocational minimal job placement skills training program for juvenile offenders.

Pinelands - September, 1981, up to thirty committed youths, age fifteen - eighteen, who are in residence and provides work, school and group programming after screening at the Jamesburg facility.

Violent Offender Project - September, 1981, special research project for the most severe offenders from the City of Newark in a joint effort between State, County and City to provide specialized treatment to stem offenses and return the youth to society within a short period of time; one of the five such research projects within the U.S.A.

Community Service as a Rehabilitative Tool

In

New Jersey Juvenile Corrections

Over the past twelve years, the Department of Corrections has been actively involved in utilizing committed persons to serve in community service work programs in an effort to improve and enhance our rehabilitative efforts. It has been our hope that providing inmates, or probationers, with positive ego-enhancing work experiences would lead to a greater chance at rehabilitation. In addition to the experiences which are summarized in what follows, the Department has long recognized the value of positive work experiences. We have had an ongoing relationship with the Department of Environmental Protection in providing juvenile residents with work in no less than twelve State Parks and Fish and Game Preserves. These efforts, in addition to being positive work experiences for young people, have saved the State of New Jersey thousands upon thousands of dollars, and have provided the citizens of New Jersey many recreational outlets, which otherwise would not have been possible.

1. Para-Professional Program

   The first attempt at this was made at Yardville through the Para-Professional Program which originated in the late 1970's. It, simply stated, provided utilization of inmates to work with underprivileged youngsters, mentally and emotionally disturbed individuals, children in Day Care Centers, delinquents in Training Schools and Probation, etc., as helpers. The concept has spread and grown over the years, and a poignant example of its present usage can be found in the Cottage 3 Pr gram at Jamesburg. Young, juvenile offenders from Jamesburg are transported daily to New Brunswick where they, in effect, are "volunteering" their services in working with pre-schoolers who are attending the Greater New Brunswick Day Care Council. This activity has been going on for over four years, and as of this date, there have been no serious adverse incidents. To visit this Unit is an experience one will not soon forget.

2. Building Trades Community Service Activities

   Further expansion of the use of offenders in community service was also initiated at Yardville through the use of a Training Program designed to train inmates in refurbinshing sub-standard urban housing. Under the guidance of trained Vocational Teachers, and in cooperation with the Catholic Diocese, young men, many of whom had come from our inner cities, were sent out daily to Trenton where they participated in an "On Hands" Training Experience to rehabilitate abandoned homes for purchase by poor families.

   The Stuyvesant Avenue Project, which is one of our Residential Centers, was, in fact, an abandoned building, renovated in part through such training. In addition to other obvious advantages, the inmates themselves developed skills in the primary building trades. At the same time they were afforded the opportunity to feel a part of the reconstruction of an area closely akin, in many cases, to their own home neighborhoods.

The idea has been further expanded to include the utilization of probationers in the development of creative training opportunities such as the refurbishing of the historical site at the Double Trouble State Park in Ocean County. This cooperative endeavor includes both the public and private sector, i.e. the Ocean County Juvenile and Domestic Relations Court, Probation Department, CETA, the Private Industry Council, the Ocean County Historical Association, the Department of Environmental Protection and the Department of Corrections' Division of Juvenile Services. The mobilization by the various elements of the community in a concentrated endeavor to keep youngsters from entering the Juvenile Justice System might be considered a model for other communities to emulate acrossed the State. It has proven to be an effective tool in preventing youngsters from becoming part of the larger correctional system. (Please see the attached article from the Asbury Park Press which succinctly describes the Program's operation.) Similar such activities are currently operating in conjunction with Burlington County Juvenile and Domestic Relations Court, Probation, Youth Detention Center, Restitution Programs and the Department of Corrections' Division of Juvenile Services, as well as the Department of Environmental Protection. In this project, we are renovating an abandoned Hunters' Lodge, which will eventually house up to thirty committed youngsters in a kind of alternative to incarceration which will, hopefully, provide a much more meaningful approach to commitment, while at the same time providing a valuable coordinating function to the Juvenile Justice System of Burlington County. (Several clippings are also included which adequately describe our efforts here.)

Another example of our "Building Trades" Community Service activities can be found at our Camden Community Service Center, where they have long been in the business of servicing the local community through the cleaning up of vacant lots, boarding up of vacant city owned (repossessed) buildings, etc. They have even operated under a CETA Grant which specifically allowed for them to completely paint the interior of the Cherry Hill Township Municipal Building.

Another most interesting achievement came at our Green Residential Center. Initially, the cost figure for renovating this new Unit at Ringwood was placed at $250,000. The building was renovated by the youngsters, under supervision, and put completely into operating condition within the operating budget of that facility with no additional costs to the State of New Jersey. The esteem which the youngsters gained from this great accomplishment has gone far in their ultimate successful rehabilitation and return to their own communities.

3. Culinary Arts

In early 1970, the Department opened several restaurants run by inmates; one of which was opened at the Central Office of the Department of Corrections, which has developed into the program called the "Mate's Inn", and primarily services employees of the Department of Corrections. In the beginning it was uniquely tied to a Senior Citizen's Program which had lost its facility and needed a temporary home. Commissioner Fauver allowed for the usage of one of the buildings on grounds as a Senior Citizen's Center, and in turn the inmates provided food and relationships to many who were sorely lacking in both. In some cases, the senior citizens were able to improve their own outlooks through tutoring some of the young men who had educational deficits.

A similar program was developed by the Division for girls, in conjunction with the Princeton YWCA. Here the committed girls from Jamesburg and Skillman worked daily as "volunteers" in a restaurant known as "Soup Con". It is run largely by the girls and provides Culinary Arts training for the young ladies involved in the program, while at the same time providing a valuable resource to the YWCA.

The girls have also worked at the Day Care Centers and also with the patients at the Neuro Psychiatric Institution at Skillman. Both kinds of activities allowed the girls to see themselves in other than negative ways, which all too often has been their usual experience.

In summing up our activities, I must point out that in itself, "Restitution" or Community Service type programs are somewhat less than effective if they are not tied to some attempt to change the attitudes of the youngsters involved. Our primary modality for such change has been Guided Group Interaction, which lends itself readily to the kinds of attitudinal changes needed. It is both effective and cost efficient and will be utilized even more in our future programming for certain kinds of youngsters. Recent research completed by Rutgers College of Medicine and Dentistry of New Jersey/ Rutgers Community Mental Health Center indicate that we are on the right track with this approach, and our efforts should be expanded.

[Burlington County (N.J.) Times, Nov. 22, 1981]

"Doing Time" in the Pines

(By Joan Perkins)

Plans for an old hunting lodge in the thick of the Pinelands may mean a new lease on life for juvenile offenders.

More important than the structural renovations underway at the Elmer Hunting Club in the Jenkins Neck section of Washington Township is the rebuilding of kids' lives that will take place under a new state program.

The two-story cinder block building at the junction of Routes 563 and 679 will be the site of the Pinelands Residential Group Center, where juvenile offenders will live and work off their sentences by clearing brush and debris from forest trails and campgrounds.

"For many kids, a physical and emotional experience of a positive nature would help him a heckuva lot more than keeping him in a detention facility and telling him what to do and trying to drill lessons into him," says Kim Zelley, supervisor of the Pinelands project.

Severe overcrowding at virtually all state juvenile detention centers prompted the project, Zelley notes. The facility, on nine acres, will house 30 youths between the ages of 15 and 18.

While a great deal of renovation remains to be done at the site, the idea is netting a warm reception from county officials who work with kids in trouble. "I think it's a fantastic idea. We've needed something like this in Burlington County for a long time," says Bruce Atkinson, a county probation officer and coordinator of the juvenile restitution program here.

"It's one of the first times we'll have a place geared toward kids on OUR county and will help relieve the overcrowding at the state institutions. Also, this program offers something more than a jail offers. It offers kids a chance to learn, not just a place to live and mark time."

The project is similar to one run by the state in the mid-1970s in which juvenile offenders worked off their sentences by doing maintenance work in the Wharton State Forest. Zelley was instrumental in formation of that program.

It was disbanded. However, in 1978, when the state shifted priorities and poured more efforts and funds into creating similar work-release programs for adults. But overcrowded conditions have put authorities under pressure to come up with innovative ways of dealing with kids and crime, and the state hopes to have the pineland facility completely operational by April 1982.

Borrowing from the "Outward Bound" outdoors learning program, the project will combine work and detention with an appreciation of outdoor living. The kids largely will perform maintenance tasks in the Wharton, Lebanon and Bass River state forests, Zelley says.

Once renovations are done on the hunting lodge and approved by the state, the youths will be housed there. They will work in smaller groups of about 10 kids each and work in an educational program toward earning their high school equivalency diploma.

For most of the youngsters, it will be the first time they have served a sentence. Most will be in for property offenses, and most will serve a one-year sentence. Zelley says. The kids will be given a subsistence allowance of less than a couple of dollars a day. Meals and transportation to and from work sites will be provided.

Zelley, a Pemberton resident, hopes the majority of the youth will be drawn from Burlington County but notes that because of the need, participants will come from Gloucester, Salem, Cumberland and other southern New Jersey counties as well.

Participants will be filtered to the program through the youth classification committee at Yardville Correctional Institute. Zelley, who has 11 years of experience in the juvenile correction field, would like to get personally involved with the screening process because he'd prefer that slots go to youths from rural backgrounds.

"It's not that the city kid couldn't take advantage of this," he says. "It's just that I've found the city kid is a little more sophisticated and could tend to manipulate the rural kid.'

Zelley also hopes to expand the project to include a day program for kids who are working off crimes under the county's juvenile restitution program but are not incarcerated.

"Work restitution has a pretty good track record so far," Zelley says. "This would provide another place for useful community work to be performed."

Currently, about five youths from the county juvenile restitution program are working off their sentences at the woodland site. The old hunting lodge has been vandalized tremendously and is in need of dire repairs. The youths have dug out the foundation and are paving it. Trash and beer bottles have been collected and windows have been replaced.

The estimated cost of building renovation and program start-up is $200,000, Zelley says. But because the kids and supervisers are doing much of the work themselves, the actual cost will be considerably cheaper, he notes.

A correctional officer before he became a social worker, Zelley is confident the program will deter kids from repeat offenses. "I have seen kids (in detention facilities) who are totally non-productive during the day," he says. "In the long run, they are looking for someone or something to push them."

The detention center in the Pines will provide that push. "It will give a kid a chance to avoid incarceration at a place like Yardville or Jamesburg (another state correctional institute for kids)," Zelley says. "And at those types of places, it takes an awfully strong kid to change his life. It's a cliche but it's true that at places like that a kid learns to be even more deceptive—that's the nature of the jail situation.

"But this concept will give a kid a chance to get help. It diverts a kid and gives him one more opportunity before he ends up getting locked up."

[The Press, Atlantic City, N.J., Nov. 25, 1981]

WORKERS ON LODGE REBIRTH HOPE TO WARM WINTER LABOR

(By Neal Roberts)

WASHINGTON TOWNSHIP.—A gray wisp curling skyward from the stone chimney signaled that the old hunting lodge was coming to life. The sound of hammering echoed through the clearing in the pinelands surrounding the place.

At the site, a couple of employees of the N.J. Department of Corrections and a few juveniles were at work at various assignments. The crisp autumn air forewarned that their time was limited.

It's a survival course out here right now. Just so we can work through the winter, we're trying to get the place closed up as soon as possible," said Kim Zelley as he watched Len Fillius drive a nail into a window shutter of wood. Zelley's breath formed a tiny cloud as he spoke inside the chilly building.

Fillius is supervising the renovation of the lodge for use as a youth center for juvenile offenders. Zelley will be the center's superintendent. When completed sometime in the spring, the center may house up to 30 juveniles who have gotten into trouble somewhere in South Jersey.

As in similar centers elsewhere in New Jersey, the juveniles will be counseled daily and given academic assignments. They will also work off their probation or "restitution hours" in the Wharton, Bass River and Lebanon state forests.

Located a couple miles south of the tiny Burlington County town of Jenkins Neck off Route 563, the 33-year-old hunting lodge will become the state's 15th juvenile center for males.

The residents of the Pinelands Residential Group Center won't be violent criminals the program only accepts convicted juveniles who are guilty of repeated property offenses such as larceny or burglary. They are those who need a structured environment but not a jail sentence, according to department officials.

Since Sept. 30 Department Corrections officials Zelley and Fillius have been making reports to the old lodge trying to make it livable. Abused by vandals the last several years, the abandoned lodge was not in the best of shape.

All the windows were broken. The metal roof was rusting badly. And the place was taken over by wasps.

"We fought the wasps for a long time. This place was loaded with them," said Zelley. The former corrections official at the Jamesburg youth center said he didn't get stung here, but a stowaway wasp stung him at home once after he returned from the job.

After the insects were evicted, one of the next tasks was to tear out the old windows and cover the openings with plastic. Wooden shutters were also made to place over the thermal window panes once they arrive.

The windows are still covered with plastic, however, and the only heat inside the two-story lodge is from a small space heater and a roaring fire at one end. Large stacks of cut logs have been piled up next to the fireplace and by the lodge entrance.

"A major project has been collecting firewood. That's an ongoing project," Zelley said.

On Tuesday, a truckload of insulation board arrived. That will also be installed soon to winterize the building before other work, such as installing a kitchen and getting an interior well to function, is started.

Zelley said the facility won't have electricity for another few months. Atlantic Electric must first put in several utility poles to link the center with the power lines along the highway a half mile away.

In the meantime, the workers must rely on a generator borrowed from the state parks department.

Sometime today, Burlington County Superior Court Judge Anthony P. Tunney, who handles juvenile cases, and Assistant Department of Corrections Commissioner Thomas Lynch are expected to tour the facility, Zelley said.

Fillius, who will serve as the vocational teacher at the center, said he believes the youths who have helped at the center so far enjoy the work. One, he said, simply needed something to do.

The department has arranged with the Burlington County Probation Department to use some juveniles who were ordered to do some community service. Zelley said between six and eight youths have been working here three days per week.

[Asbury Park Press, Jan. 30, 1982]

VILLAGE RESTORATION COMBINES TALENT, NATURAL RESOURCES

(By Sanne Young)

DOVER TOWNSHIP.—A project to restore the historic village at Double Trouble State Park has worked out to be "a marriage of a lot of natural resources and talent," Guy S. Capuano said last night.

While some of the natural resources already existed at the park, another natural resource was the talent of a group of teen-agers who provided the labor as part of an alternative probation program, he noted.

"They're sharp kids. We just advised and they were the ones swinging the hammers," Capuano said.

Capuano was on hand at the Ocean County Health Building last night to receive the annual Estella R. Steiner Conservation Award on behalf of the Double Trouble Society, which he helped found. The award and a $100 check were presented by state Sen. John Russo and Assemblyman John P. Doyle, both D-Ocean, at a meeting of the Citizens' Conservation Council of Ocean County.

Ms. Steiner, a retired teacher living in Lakewood, instituted the award in 1970 after she saw youngsters voluntarily cleaning up a brook behind a shopping center. The award is presented to an individual or group that has made an outstanding contribution to conservation or ecology, said John G. Ebere, council president.

Capuano, a Beachwood resident, said the check would be used to purchase restoration materials such as lumber and nails. The youth project has so far centered on restoring three houses at the village to the way they were at the turn of the century, he said.

The state park is located along Cedar Creek in Berkeley and Lacey townships.

The Double Trouble Society was formed about four years ago as a nonprofit group dedicated to restoring some of the buildings at the village, which began about 1775, Capuano said.

Capuano said he met with Gerald Van Dyke, a state Department of Corrections representative through the Ocean County Private Industry Council last year, and they worked out a proposal for operating the program, which began last March.

The program was financed in 1981 with $83,000 in federal Comprehensive Training and Education Act funds, said Elaine Clendenin, deputy director of the Ocean CETA program. The funds covered transportation, adult supervisor salaries and minimum wages paid to the teen-agers, she said.

Ms. Clendenin said the agency is reviewing a proposal to continue funding the project this year, when funding is expected to be available through September.

W. Paul Lucas, the project supervisor employed by the State Department of Corrctions division of juvenile services, said it would have cost six times that amount if the teen-agers had been placed in a state training school instead.

Some 47 youthful offenders, boys and girls ages 16 through 18, participated in the project this past year.

The project, called the Employment Skills Training Program, is sponsored by the Double Trouble Society in conjunction with the state Department of Corrections, the juvenile court system, the Ocean County Probation Department and the CETA program, Lucas said. It is also known as the "yuvan" program, a Sanskrit word meaning "youth," he added.

Juvenile court judges may refer certain teen-agers to the program as an alternative to sending them to a reform school, Lucas said.

"It's not for everyone. They're all on probation," he said. The teen-agers work at the project for six hours a day, attend a group counseling session for 90 minutes, and live at home.

The project teaches them a trade, carpentry, which they might apply around their own homes if they decide not to pursue it as a career, he said.

"It also gives them that sense of belonging, of self-pride, where they can look at it and see a job well done," Lucas said.

One 17-year-old youth, who has "graduated" from the program, said, "It was definitely an experience. I learned a lot of carpentry; trim, building and windows. I hope I can apply it. We did good works."

"At first it felt strange, but then it got better. I learned some carpentry skills," said a girl who was the first girl assigned to the project. The girl is 17 and a former participant of the program. She said she also benefited by learning about the experiences of some persons who had been in more extensive trouble than she, because it helped prevent her from getting into more trouble.

Officials also had praise for the program.

William J. Kearney, a judge in the juvenile section of Superior Court, Toms River, said, "I'm very excited about the program. It provides worthwhile, active job experience and life experience for many of our young children. I'm very grateful to the Department of Corrections, the Double Trouble Society and CETA for providing this kind of program in our county."

"I think it's one of the most decent things I've seen," said Thomas F. Lynch, assistant commissioner for the juvenile service division. Lynch said the state Department of Corrections is sending representatives to observe the program in hopes that it will become a model for developing similar programs at many other sites throughout the state.

Harvey Conover, the chief county probation officer, said, "We are very fortunate in having this program in Ocean County, and we hope some day it will be extended to other counties. It's unique because children can be put on probation and have somewhere to go during the day, and talk their problems out."

Senator SPECTER. Ladies and gentlemen, we very much appreciate the witnesses being here. I want to thank Ms. Fenwick and Congressman Florio for joining us here. I think we have covered some very important subjects on a matter of enormous importance and have seen some new ideas in terms of new pride, training, education, counseling, restitution which offer great promise for a very, very difficult problem and Congresswoman Fenwick and Congressman Florio and I will take this information back to our respective committees. We will share it with our colleagues and we will continue our efforts to try to do something about this very, very important problem and for the final word I will call on Ms. Fenwick.

Ms. FENWICK. Well, Senator, I think we come closer and closer to knowing what we are going to have to understand, which is the workings of the human heart and mind. It's not enough to have all the money in the world and mechanical starched white approaches to problems by people who don't understand where the problems came from. We are going to have to take a whole new attitude and I think the first thing that we ought to do is to pay attention to what works.

When something works we may not be able to get to the bottom of the problem, the causes of the problems that we deplore. When something works we ought to pay attention. It has some ingredient, magic perhaps, unknown to us, psychological or whatever, but that's where we ought to direct our attention and our hopes and our caring and I think probably caring is the secret.

Thank you, Senator.

Senator SPECTER. Thank you very much. Thank you ladies and gentlemen. The hearing is adjourned.

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